

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STENNIS. In addition, Mr. President, in addition, there are three lists for the Army totaling 1,327 for promotion to the grade of colonel and below (lists begin with Albert Abraham; Byron B. Alexander; and, Howard T. Prince II). For the Army Reserve there is one list totaling 2,305 for promotion to the grade of colonel and below (list begins with Carl W. Ackerman). In the Navy and Reserve of the Navy there are three lists totaling 162 in the grades of captain and below (lists begin with Larry E. Baker; Herbert J. Kendall II; and, John W. Dreon, Jr.). In the Marine Corps there are two lists totaling 205 for appointment to the grade of second lieutenant (lists begin with Ronald G. Horton and Ronald E. Anderson). And, in the Air Force and Reserve of the Air Force there are six lists totaling 5,162 for promotion to the grade of colonel and below (lists begin with Wilfred K. Abbott; David R. Abel; Robert A. Abbott; George H. Aberth, Jr.; Richard B. Almour; and, Jon S. Allen). Since these names have already appeared in the RECORD and to save the expense of printing again, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (The nominations ordered to lie on the Secretary's desk were printed in the RECORD of January 23, 1979, at the end of the Senate proceedings.)

ORDER FOR REFERRAL OF S. 339

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as S. 339, amending the Export-Import Bank Act, is reported by the Committee on Banking, it be referred sequentially to the Committee on Finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and the second time by unanimous consent, and referred as indicated:

By Mr. JACKSON:

S. 366. A bill to provide for the exploration for and development of federally owned minerals, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JACKSON (by request):

S. 367. A bill to amend the Wild and Scenic Rivers Act by designating a segment of the Illinois River in Oregon as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. STEVENS:

S. 368. A bill to amend title 5 of the United States Code to provide additional cost-of-living adjustments in civil service retirement annuities of annuitants who were employed in Alaska and continue to reside there after separation, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BUMPERS (for himself and Mr. PRYOR):

S. 369. A bill to provide price and income

protection for agricultural producers by assuring such producers a price for their agricultural commodities of not less than the cost of producing such commodities; to assure consumers an adequate supply of food and fiber at reasonable prices; and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. STEVENS:

S. 370. A bill to amend title 5 of the United States Code to provide vacation leave for residents of Alaska serving a tour of duty at a hardship station in Alaska; to the Committee on Governmental Affairs.

By Mr. MCGOVERN:

S. 371. A bill to modify the method of establishing quotas on the importation of certain meat to include within such quotas certain meat products, and for other purposes; to the Committee on Finance.

By Mr. LEAHY:

S. 372. A bill to amend the Rural Development Act of 1972; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DECONCINI (for himself, Mr. KENNEDY, and Mr. THURMOND):

S. 373. A bill to amend title 28 of the United States Code to encourage prompt, informal, and inexpensive resolution of civil cases in the United States district courts by the use of arbitration, and for other purposes; to the Committee on the Judiciary.

By Mr. CRANSTON (by request):

S. 374. A bill to authorize appropriations for programs under the Domestic Volunteer Service Act of 1973, to amend such Act to facilitate the improvement of programs carried out thereunder, to authorize Urban Volunteer Programs, and for other purposes; to the Committee on Human Resources.

By Mr. DOMENICI:

S. 375. A bill to incorporate the American Ex-Prisoners of War, Incorporated; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. 376. A bill to amend the Public Health Service Act to establish a clearinghouse for information respecting digestive diseases, to authorize grants to strengthen educational programs in digestive diseases in medical schools, and to establish the National Digestive Diseases Advisory Board; to the Committee on Human Resources.

By Mr. ROTH (for himself, Mr. RIBICOFF, Mr. DANFORTH, and Mr. HEINZ):

S. 377. A bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BELLMON (for himself, Mr. JAVITS, Mr. MOYNIHAN, Mr. BAKER, Mr. BOREN, Mr. MELCHER, Mr. COCHRAN, Mr. LUGAR, Mr. GARN, Mr. TOWER, Mr. BAYH, and Mr. WALLOP):

S. 378. A bill to authorize funds for the Robert A. Taft Institute of Government; to the Committee on Human Resources.

By Mr. DOMENICI:

S. 379. A bill for the relief of Mrs. Ascencion M. Lujan, Noe Lujan, Sevedo Lujan, Junior, Cordella Lujan Long, Antonia Lujan, Venceslao Lujan, Marta Lujan, Felix Lujan, and Tovia Lujan; to the Committee on the Judiciary.

By Mr. DURKIN (for himself and Mr. TSONGAS):

S. 380. A bill to amend the Bank Holding Company Act of 1956 to limit the property and casualty and life insurance activities of bank holding companies and their subsidiaries; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HOLLINGS (for himself and Mr. THURMOND):

S. 381. A bill to provide in cooperation with the States benefits to individuals who are totally disabled due to employment-related brown lung disease and to the surviving dependents of individuals whose death was due to such disease or who were totally

disabled by such disease at the time of their death; to the Committee on Human Resources.

By Mr. KENNEDY (for himself, Mr. HATCH, Mr. RIEGLE, Mr. DOMENICI, Mr. DANFORTH, Mr. LEVIN, and Mr. MAGNUSON):

S. 382. A bill to amend the Clayton Act by strengthening and facilitating the carrying out of antitrust and procompetitive policies by agencies of the Federal Government, and for other purposes; to the Committee on the Judiciary.

By Mr. SASSER:

S. 383. A bill to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; to the Committee on Governmental Affairs.

By Mr. PACKWOOD:

S. 384. A bill for the relief of Jung-Sook Mun; to the Committee on the Judiciary.

By Mr. CULVER (for himself and Mr. JEPSEN):

S. 385. A bill for the relief of Rong-Shyang Shieh and Shioh-Ing Shieh, husband and wife; to the Committee on the Judiciary.

By Mr. HEFLIN:

S.J. Res. 36. Joint resolution proposing an amendment to the Constitution to prohibit appropriations for a fiscal year which would cause the total appropriations to exceed estimated receipts for such fiscal year; to the Committee on the Judiciary.

By Mr. SASSER:

S.J. Res. 37. A joint resolution authorizing the President to proclaim May 1, 1979, "National Bicycling Day"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JACKSON:

S. 366. A bill to provide for the exploration for and development of federally owned minerals, and for other purposes; to the Committee on Energy and Natural Resources.

FEDERAL LAND MINING ACT OF 1979

● Mr. JACKSON. Mr. President, revision of the mining law of 1872, which governs development of so-called hard-rock minerals on Federal lands has been urged by many people for many years. Despite this urging, there has been almost no action by either the Senate or the House of Representatives.

Now, however, the time should be ripe for action. The House Interior Committee began work on mining law reform during the last Congress. President Carter and Secretary of the Interior Andrus agree that the law should be revised. I have long held this view.

What is the reason for concern about the mining law of 1872?

Mining often involves the destruction of other resources to some extent. In many cases, timber must be removed, wildlife habitat must be disturbed, natural waterways must be changed, overburden must be set aside, wastes must be disposed of, roads must be pushed through undisturbed areas, water must be diverted and may become contaminated, and holes must be drilled. These and other activities are essential to obtain minerals needed by the economy.

Sacrifice of some resources to realize others is not limited to mining. It is characteristic of any intensive use. However, the mining law of 1872 fails to have

come derived from sale of certain agricultural or horticultural commodities.

S. 261

At the request of Mr. McGOVERN, the Senator from Nebraska (Mr. ZORINSKY) was added as a cosponsor of S. 261, a bill to amend the Consolidated Farm and Rural Development Act to authorize loans for the construction and improvement of subterminal storage and transportation facilities for certain types of agricultural commodities.

S. 268

At the request of Mr. DURKIN, the Senator from New Mexico (Mr. SCHMITT) and the Senator from South Dakota (Mr. PRESSLER) were added as cosponsors of S. 268, the Soft Drink Bottlers' Protection Act of 1979.

S. 270

At the request of Mr. BUMPERS, the Senator from Montana (Mr. MELCHER), the Senator from North Dakota (Mr. YOUNG), the Senator from Indiana (Mr. LUGAR), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 270, a bill to amend the Occupational Safety and Health Act of 1970 to insure equal protection of the laws for small business and to provide that any employer who successfully contests a citation or penalty shall be awarded a reasonable attorney's fee and other reasonable litigation costs.

S. 377

At the request of Mr. ROTH, the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 377, a bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment.

S. 378

At the request of Mr. BELLMON, the Senator from Rhode Island (Mr. PELL), the Senator from Michigan (Mr. RIEGLE), the Senator from Arizona (Mr. GOLDWATER), and the Senator from Vermont (Mr. STAFFORD) were added as cosponsors of S. 378, a bill to authorize funds for the Robert A. Taft Institute of Government.

S. 380

At the request of Mr. DURKIN, the Senator from Idaho (Mr. CHURCH) was added as a cosponsor of S. 380, a bill to amend the Bank Holding Company Act of 1956 to limit the property and casualty and life insurance activities of bank holding companies and their subsidiaries.

S. 395

At the request of Mr. CHILES, the Senator from Montana (Mr. BAUCUS), the Senator from Kentucky (Mr. FORD), the Senator from New Jersey (Mr. WILLIAMS), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from South Dakota (Mr. PRESSLER) were added as cosponsors of S. 395, the Medicare Supplemental Health Insurance Information Disclosure and Protection Act of 1979.

SENATE JOINT RESOLUTION 16

At the request of Mr. WALLOP, the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of Senate Joint Resolution 16, to balance the Federal budget.

SENATE JOINT RESOLUTION 20

At the request of Mr. ZORINSKY, the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of Senate Joint Resolution 20, to increase the price for milk, wheat, corn, soybeans, and cotton to not less than 90 per centum of the respective parity prices thereof, and for other purposes.

SENATE JOINT RESOLUTION 37

At the request of Mr. SASSER, the Senator from Massachusetts (Mr. TSONGAS), the Senator from Michigan (Mr. LEVIN), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Wisconsin (Mr. NELSON), and the Senator from Minnesota (Mr. DURENBURGER) were added as cosponsors of Senate Joint Resolution 37, authorizing the President to proclaim May 1, 1979, as National Bicycling Day.

AMENDMENT NO. 58

At the request of Mr. DURKIN, the Senator from West Virginia (Mr. RANDOLPH), the Senator from Kentucky (Mr. FORD), and the Senator from Montana (Mr. MELCHER) were added as cosponsors of Amendment No. 58 intended to be proposed to S. 333, a bill to effect certain reorganization of the Federal Government to strengthen Federal programs and policies for combating international and domestic terrorism.

SENATE RESOLUTION 78—SUBMISSION OF A RESOLUTION WITH RESPECT TO THE NEED FOR ENERGY EMERGENCY PREPAREDNESS

Mr. HATFIELD (for himself, Mr. JACKSON, Mr. DOMENICI, Mr. STEVENS, Mr. BELLMON, Mr. WALLOP, and Mr. BUMPERS) submitted the following resolution, which was referred to the Committee on Energy and Natural Resources:

S. RES. 78

Whereas, the United States remains highly dependent on foreign energy, especially petroleum;

Whereas, the interruption of oil exports from Iran may continue for an extended period;

Whereas, the Iranian situation makes the United States and the rest of the world much more vulnerable to any other reduction of oil supplies;

Whereas, continuation of the current situation may lead to shortages of petroleum products, and could lead to the use of the International Energy Agreement to distribute petroleum shortfalls among the IEA nations, resulting in additional obligations for the reduction of United States consumption; and

Whereas, prompt and measured action can reduce the human cost of this supply disruption and reduce the possibility of later panic reactions: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President of the United States should immediately initiate measures to increase American energy supplies and reduce demand, and should present plans to the Congress for maintaining this balance of supply and demand in the event of protracted supply problems. Such actions should include, but not be limited to, submission to the Congress of plans for readying the Strategic Petroleum Reserve for withdrawals, enforcing a mandatory conservation program, requiring substitutions of alternative fuels for petroleum, updating the petroleum allocation regulations, and increasing fuels production incentives.

Be it further resolved, that it is the sense of the Senate that the President should submit to Congress a standby gasoline rationing plan which can be implemented in the event that other measures become ineffective during periods of severe shortage.

Mr. HATFIELD. Mr. President, the Energy and Natural Resources Committee has held three hearings which have dealt with the tightening world oil situation and our preparedness for handling it. The committee has further held two top-secret briefings in order to assess the Iranian problem. Finally, the minority members of this committee requested a briefing at CIA Headquarters in order to explore the effect the Iranian situation may have in the Persian Gulf generally, the outlook for stability in our oil imports from that part of the world, the elements necessary for resumption of Iranian exports and the likely level of these exports, and the American supply options for the immediate future and into the 1980's. I believe we have emerged from these sessions with a commonsense of the likelihood of protracted oil supply problems in this country. And to that view I submit a resolution which calls on the administration to get off its hands.

In recent days we have heard Secretary Schlesinger, Secretary Blumenthal, and Administrator Bardin telling distinctly different stories to the American people about the seriousness of the problem of world oil supplies. It is time the Government spoke with one voice, gave one signal to the citizenry, and prepared itself for dealing with shortages. It is estimated that usable petroleum inventories in the United States—"usable" being that part of the total inventory which may be built up and drawn down, as opposed to the inventory that is an unavoidable part of production and transportation—will be down to 5 days' supply by the end of the first quarter. Spot shortages of certain products in certain areas are an inevitable consequence of such low stocks. Several companies have already begun allocating to their distributors and dealers.

It is my hope that we can make a united call for action through this resolution. It has been more than 4 years since the Arab embargo, and there is no excuse for our present lack of preparedness to meet an oil shortage situation.

SENATE RESOLUTION 79—ORIGINAL RESOLUTION REPORTED AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. RIBICOFF, from the Committee on Governmental Affairs, reported the following original resolution, which was referred to the Committee on Rules and Administration:

S. RES. 79

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Governmental Affairs is authorized from March 1, 1979, through February 29, 1980, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2)

S. 219

At the request of Mr. MOYNIHAN, the Senator from Maryland (Mr. MATHIAS), the Senator from Montana (Mr. MELCHER), the Senator from New York (Mr. JAVITS), and the Senator from New Mexico (Mr. SCHMITT) were added as cosponsors of S. 219, a bill to amend the Internal Revenue Code of 1954 to allow the charitable deduction to taxpayers whether or not they itemize their personal deductions.

S. 219

At the request of Mr. PACKWOOD, the Senator from Pennsylvania (Mr. SCHWEIKER) and the Senator from Rhode Island (Mr. CHAFFEE) were added as cosponsors of S. 219, to amend the Internal Revenue Code of 1954 to allow the charitable deduction to taxpayers whether or not they itemize their personal deductions.

S. 377

At the request of Mr. RIBICOFF, the Senator from New York (Mr. MOYNIHAN) and the Senator from Texas (Mr. BENTSEN) were added as cosponsors of S. 377, to establish as an executive department of the Government of the United States a Department of International Trade and Investment, and for other purposes.

S. 388

At the request of Mr. STEWART, the Senator from Montana (Mr. BAUCUS), the Senator from Alaska (Mr. GRAVEL), the Senator from Texas (Mr. BENTSEN), the Senator from Oregon (Mr. HATFIELD), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from Hawaii (Mr. INOUE), the Senator from California (Mr. HAYAKAWA), the Senator from North Carolina (Mr. MORGAN), the Senator from Michigan (Mr. RIEGLE), the Senator from Arizona (Mr. GOLDWATER), the Senator from Nebraska (Mr. ZORINSKY) were added as cosponsors of S. 388, the Small Business Employee Ownership Act.

S. 414

At the request of Mr. BAYH, the Senator from Nebraska (Mr. ZORINSKY), and the Senator from Vermont (Mr. LEAHY), were added as cosponsors of S. 414, the University and Small Business Patent Procedures Act.

S. 460

At the request of Mr. STAFFORD, the Senator from Tennessee (Mr. SASSER) was added as a cosponsor of S. 460, a bill to encourage bicycling and physical fitness by assuring greater safety for bicycles parked at Federal Office Buildings.

S. 484

At the request of Mr. RIEGLE, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 484, a bill for the relief of Antoinette Slovik.

S. 598

At the request of Mr. BAYH, the Senator from Louisiana (Mr. LONG), the Senator from Nebraska (Mr. EXON), and the Senator from Minnesota (Mr. DURENBERGER), were added as cosponsors of S.

598, the Soft Drink Interbrand Competition Act.

S. 621

At the request of Mr. MATHIAS, the Senator from Massachusetts (Mr. TSONGAS) was added as a cosponsor of S. 621, a bill to provide for further research and services with regard to victims of rape.

S. 622

At the request of Mr. GOLDWATER, the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 622, the Telecommunications Competition and De-regulation Act of 1979.

SENATE JOINT RESOLUTION 22

At the request of Mr. GARN, the Senator from Pennsylvania (Mr. SCHWEIKER) was added as a cosponsor of Senate Joint Resolution 22, proposing an amendment to the Constitution of the United States for the protection of unborn children and for other purposes.

SENATE CONCURRENT RESOLUTION 2

At the request of Mr. GOLDWATER, the Senator from Wisconsin (Mr. PROXMIER), the Senator from Tennessee (Mr. BAKER), and the Senator from North Carolina (Mr. MORGAN) were added as cosponsors of Senate Concurrent Resolution 2, to uphold the separation of powers between the executive and the legislative branches of Government in the termination of treaties.

SENATE RESOLUTION 83

At the request of Mr. WALLOP, the Senator from New Mexico (Mr. SCHMITT) was added as a cosponsor of Senate Resolution 83, relating to national water resources policies.

SENATE RESOLUTION 98—SUBMISSION OF A RESOLUTION RELATING TO THE STANDBY GASOLINE RATIONING PROGRAM

Mr. BENTSEN submitted the following resolution, which was referred to the Committee on Energy and Natural Resources:

S. RES. 98

Whereas, any Stand-by Gasoline Rationing Plan should reduce gasoline consumption equally for all consumers to the extent administratively possible;

Whereas, the Stand-by Gasoline Rationing Plan submitted to the Congress on March 1, 1979, would result in an unnecessarily inequitable reduction in gasoline consumption by residents of the various States;

Whereas, this inequitable reduction in gasoline consumption would create a substantial and unwarranted redistribution of income between States;

Whereas, adequate data and administrative mechanisms are available to equalize gasoline curtailments from rationing on a state-by-state basis; and

Whereas, the Congress desires that gasoline curtailments be imposed to the extent possible in an equitable and fair manner on each State should gasoline rationing be necessary: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President withdraw the Standby Rationing Gasoline Plan submitted to the Congress on March 1, 1979 and resubmit such plan amended to remedy the interstate inequities with regard to the distribution of gasoline rationing coupons.

Mr. BENTSEN. Mr. President, today I

am submitting a resolution expressing the sense of the Senate that the President should withdraw and amend the standby gasoline rationing program which he submitted to the Congress earlier this month. The plan as it is currently drafted is an outrage and blatantly unfair to many States and regions of the country, and would result in a monumental transfer of income among the States through a legalized "white market" in gasoline rationing coupons.

The President's plan does not ask each State to share equally in the hardships that would occur under gasoline rationing conditions.

It would allocate rationing coupons among the States according to national average gasoline consumption rates rather than according to average consumption figures for the individual States. The net result of this approach would be major inequities in the distribution of coupons.

For example, assuming a rationing based on a 25-percent reduction in gasoline supplies, the States of Hawaii, Pennsylvania, North Dakota, and Rhode Island would receive coupons for 97.9 percent, 94.6 percent, 92.2 percent and 90.8 percent respectively of their normal supplies while the States of Missouri, South Carolina, West Virginia and Texas would receive only 63.6 percent, 64.6 percent, 65.6 percent, and 65.9 percent respectively of their normal supplies. States with historically high per capita gasoline use would receive punitive treatment under the proposed plan.

I would like to assure my colleagues that the citizens of Missouri, South Carolina, West Virginia and Texas are no more wasteful of gasoline than other American consumers. They pay the same high prices, and they feel the same desires and incentives to conserve. But the physical differences of their surroundings, the greater distances they must travel to and from work, the needs of farming and rural communities, and the lack of alternative means of transit all contribute to their greater daily requirements for gasoline. It makes no more sense to allocate gasoline without considering local use patterns in those States than it would to allocate residential fuel oil without considering the special needs of the North and Northeast.

This fact has been recognized by a number of experts who have studied gasoline rationing programs. A 1978 study by Oak Ridge National Laboratory concluded:

It does not appear that differences in state consumption rates can be attributed to extravagant or frivolous gasoline use by residents of certain high consumption states such as Wyoming, New Mexico, and Texas. Instead, it appears that state consumption rates are the result of the complex interaction of environmental, demographic and economic factors. These state-to-state differences should be considered in developing any national conservation policy, such as gasoline rationing, which will have differential impacts on the states.

Although the so-called "white market" envisioned by DOE would permit drivers in under-allocated States to purchase additional coupons from drivers in over-

defended this country in time of war, or with the benefit guaranteed America's veterans by law; now, therefore, be it

"Resolved by the House of Delegates, the Senate concurring, That the Congress of the United States is hereby memorialized to provide at least two additional national cemeteries in Virginia, one of which should be located in Southwest Virginia; and, be it

"Resolved further, That the Clerk of the House of Delegates is hereby instructed to transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and to members of the Virginia delegation to the Congress of the United States, in order that they may be apprised of the sense of this body."

POM-142. A joint resolution adopted by the Legislature of the State of Virginia; to the Committee on Finance:

"HOUSE JOINT RESOLUTION No. 296

"Whereas, a bill was introduced in the Second Session of the Ninety-Fifth Congress by the Honorable Mario Biaggi which would serve to return to the states revenues derived from the federal tax of fuel used to power motorboats; and

"Whereas, these revenues, once returned to the states, would be dedicated to the improvement of boating facilities and safety programs; and

"Whereas, the enactment of this or similar legislation would serve to redress the inequity resulting from the use of revenues generated by taxes on boaters for the support of programs unrelated to boating; now, therefore, be it

"Resolved by the House of Delegates, the Senate concurring, That the Congress of the United States of America is hereby memorialized to enact legislation which would return to the several states for their use in supporting boating-related programs the federal tax on fuel used to power motorboats; and, be it

"Resolved further, That the Clerk of the House of Delegates is hereby instructed to transmit copies of this resolution to the Speaker of the House of Representatives, the President of the Senate of the United States, the Honorable Mario Biaggi, and the members of the Virginia delegation to the Congress in order that they may be apprised of the sense of this body."

POM-143. A petition from a citizen of the United States, relating to diplomatic relations with the Republic of China; to the Committee on Foreign Relations.

POM-144. A resolution adopted by the city of Big Timber, Mont., requesting the continuation of Amtrak service along the Chicago to Seattle segment of the basic Amtrak System; to the Committee on Commerce, Science, and Transportation.

POM-145. A resolution adopted by the Board of Directors, Yonkers Chamber of Commerce, Yonkers, N.Y., relating to weekend gasoline sales restrictions; to the Committee on Energy and Natural Resources.

POM-146. A resolution from the Philippine-American Society, Inc., relating to United States-Philippine relationships; to the Committee on Foreign Relations.

POM-147. A resolution adopted by the town of Three Forks, Mont., opposing the abandonment by Amtrak of the Southern route through Montana; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHILES, from the Special Committee on Aging:

Special report entitled "Part 2—Appendixes, Developments in Aging: 1978" (Rept. No. 96-55).

By Mr. CANNON, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 447. A bill to provide authorization of appropriations for the U.S. Railway Association, and for other purposes (Rept. No. 96-57).

H. Con Res. 3. Concurrent resolution expressing the sense of the Congress that "Our Merchant Marine March" as written and composed by Earl W. Clark be recognized as the official march of the American merchant marine (Rept. No. 96-58).

Special report entitled "Report on the Activities of the Committee on Commerce, Science, and Transportation" (Rept. No. 96-59).

Mr. CANNON, Mr. President, in accordance with the requirements of section 136(b) of the Legislative Reorganization Act of 1946, as amended, submitted herewith is the report on the activities of the Committee on Commerce, Science, and Transportation during the 95th Congress.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PROXMIER, from the Committee on Banking, Housing, and Urban Affairs: Lawrence Connell, Jr., of the District of Columbia, to be a member of the National Credit Union Administration Board.

The following named persons to be members of the Board of Directors of the National Institute of Building Sciences:

Blanca G. Cedeno, of New York; Guy O. Mabry, of Ohio; Leonard Miller, of Florida; and Joseph Herbert Newman, of New Jersey.

(The above nominations from the Committee on Banking, Housing, and Urban Affairs were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. JACKSON (for himself, Mr. MAGNUSON, Mr. CHURCH, Mr. HATFIELD, Mr. MCCLURE, and Mr. PACKWOOD):

S. 885. A bill to assist the electrical consumers of the Pacific Northwest through use of the Federal Columbia River Power System to achieve cost-effective energy conservation, to encourage the development of renewable energy resources, to establish a representative regional power planning process, to assure the region of an efficient and adequate power supply, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROBERT C. BYRD (for Mr. TALMADGE) (for himself, Mr. BELLMON, Mr. CULVER, Mr. HUDDLESTON, Mr. LUGAR, Mr. MCGOVERN, Mr. STEWART, and Mr. ZORINSKY):

S. 886. A bill to protect the public health by providing flexibility in the regulatory

process to prevent the occurrence of botulism if the prohibition of nitrites and nitrates becomes necessary based on the results of studies of their carcinogenicity or other toxic effect; to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Labor and Human Resources, jointly, by unanimous consent.

By Mr. CRANSTON:

S. 887. A bill to authorize the Secretary of the Army to construct improvements on Redbank and Fancher Creeks, Calif.; to the Committee on Environment and Public Works.

By Mr. BENTSEN:

S. 888. A bill for the relief of Dr. Lesley B. Tiongo Serrano, and her son Kenneth Neil Serrano; to the Committee on the Judiciary.

By Mr. STEWART (for himself and Mr. HEFLIN):

S. 889. A bill for the relief of the estate of Harry Eugene Walker, deceased, formerly of Anniston, Ala.; to the Committee on the Judiciary.

By Mr. MCCLURE:

S. 890. A bill to amend the Internal Revenue Code of 1954 in order to tax excess petroleum industry profits, to encourage investments in the expansion of domestic energy supplies, and to create an incentive tax credit for research and development of new or expanded energy sources; to the Committee on Finance.

By Mr. ROBERT C. BYRD:

S. 891. A bill to establish a Department of International Trade in the executive branch to provide for the effective management of international trade and industry development programs, and for other purposes; to the Committee on Governmental Affairs.

By Mr. LEAHY (for himself and Mr. STEWART):

S. 892. A bill to extend the authorization of appropriations for carrying out rural development research, small farm research, and small farm extension programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HEFLIN:

S. 893. A bill to require the Federal Bureau of Investigation to classify the offense of arson as a part I offense for purposes of the uniform crime reporting program and the uniform crime reports for the United States; to the Committee on the Judiciary.

By Mr. BURDICK (for himself and Mr. YOUNG):

S. 894. A bill amending the conveyance of property to Mountrail County Park Commission, North Dakota, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURKIN:

S. 895. A bill to amend the Internal Revenue Code of 1954 to increase the dividend exclusion from \$100 to \$250; to the Committee on Finance.

By Mr. NELSON (for himself, Mr. TOWER, Mr. PROXMIER, Mr. MAGNUSON, Mr. CRANSTON, Mr. MORGAN, Mr. BENTSEN, Mr. SASSER, Mr. GARN, and Mr. LAXALT):

S. 896. A bill to amend the Interstate Land Sales Full Disclosure Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURKIN:

S. 897. A bill to amend the Internal Revenue Code of 1954 to provide that the Internal Revenue Service shall not assess any deficiency or interest in the case of returns based upon written and certain oral advice of the Internal Revenue Service; to the Committee on Finance.

By Mr. COCHRAN:

S. 898. A bill to amend title 39, United States Code, to prevent deceptive business solicitations by providing that any such solicitation which is designed to resemble a bill or statement of account shall be non-

lumbia, to be an Associate Judge of the Superior Court of the District of Columbia.

By Mr. CANNON, from the Committee on Commerce, Science, and Transportation:

The following officers of the U.S. Coast Guard for promotion to the grade of Rear Admiral:

Sidney B. Vaughn, Jr.;
John D. Costello; and
Donald C. Thompson.

(The above nominations from the Committee on Commerce, Science, and Transportation were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. CANNON. Mr. President, as in executive session, I also report favorably sundry nominations in the Coast Guard which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they lie on the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD on March 15, 1979, at the end of the Senate proceedings.)

By Mr. CHURCH, from the Committee on Foreign Relations:

William Lacy Swing, of North Carolina, to be Ambassador Extraordinary and Plenipotentiary of the United States to the People's Republic of the Congo.

(The above nomination from the Committee on Foreign Relations was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Nominee: William Lacy Swing.

Post: Ambassador, People's Republic of the Congo.

Contributions, amount, date, and donee:
1. Self: None (I have, I believe, in the past checked the box on Form 1040—IRS, designating \$1 to go to the Presidential Election Campaign Fund.)

2. Spouse: Not applicable (I am divorced.)

3. Children and Spouses: Names: Brian Curtis (son, age 16): None.

4. Parents: Names: Baxter Dermot Swing (father): None. Mary Frances Swing (nee Barbee) (mother): None.

5. Grandparents: Names: Bessie Swing (nee Sowers): None. (All other grandparents deceased).

6. Brothers and Spouses: Names: James B. Swing: None. Arlene Swing (nee Lashmidt): None.

7. Sisters and Spouses: Names: Anna Leonard (nee Swing): \$7., National Republican Senatorial Committee (1977); \$2. National GOP Campaign Committee (1977). Similar amounts in previous years for which records no longer available. Lawrence Leonard: None. I have listed above the names of each member of my immediate family including their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

By Mr. CHURCH, from the Committee on Foreign Relations:

John Prior Lewis, of New Jersey, for the rank of Minister during the tenure of his service as Chairman of the Development Assistance Committee of the Organization for

Economic Cooperation and Development at Paris, France.

(The above nomination from the Committee on Foreign Relations was reported with the recommendation that it be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

POLITICAL CONTRIBUTIONS STATEMENT

Nominee: John Prior Lewis.

Post: Chairman, OECD-DAC.

Contributions, Date, Amount, and Donee:

1. Self: Have no record or precise memory but during indicated period amounts, only to donees listed, genuinely trivial and certainly not in excess of total shown. November 1974 through November 1978, \$400. Consumer cause Brendon Byrne, Jimmy Carter, New Jersey Democratic congressional and local candidates.

2. Spouse: Have no record or precise memory but during indicated period amounts, only to donees listed, genuinely trivial and certainly not in excess of total shown. November 1974 through November 1978, \$400. Common Cause Brendon Byrne, Jimmy Carter, New Jersey Democratic congressional and local candidates.

3. Children and Spouses Names: None.

4. Parents Names: None.

5. Grandparents Names: None.

6. Brothers and Spouses Names: None.

7. Sisters and Spouses Names: None.

I have listed above the names of each member of my immediate family including their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

By Mr. CHURCH, from the Committee on Foreign Relations:

Donald Eugene Syvrud, of Virginia, to be U.S. Alternate Executive Director of the International Monetary Fund.

Richard Frank Celeste, of Ohio, to be Director of the Peace Corps.

Richard Frank Celeste, of Ohio, to be an Associate Director of the ACTION Agency.

(The above nominations from the Committee on Foreign Relations were reported with the recommendation that it be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. CHURCH. Mr. President, as in executive session, I also report favorably sundry nominations in the Foreign Service which have previously appeared in the CONGRESSIONAL RECORD and, to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they lie on the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The nominations ordered to lie on the Secretary's desk were printed in the RECORD on March 26, 1979, at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BAKER (for himself, Mr. SASSER, and Mr. ROBERT C. BYRD):

S. 934. A bill to amend the Federal Railroad Safety Act of 1970 to expand State

enforcement of railroad safety laws; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAFEE:

S. 935. A bill to amend the Internal Revenue Code of 1954 to provide an election to depreciate property eligible for the investment credit over 5 years, to allow the amortization of pollution control equipment over 2 years, and for other purposes; to the Committee on Finance.

By Mr. JACKSON (for himself, Mr. BAYH, Mr. BUMPERS, Mr. CHURCH, Mr. DURKIN, Mr. EAGLETON, Mr. KENNEDY, Mr. MCGOVERN, Mr. METZENBAUM, Mr. NELSON, Mr. PROXMIER, Mr. RIEGLE, Mr. SASSER, and Mr. STEVENSON):

S. 936. A bill to extend the authority under the Emergency Petroleum Allocation Act of 1973; to the Committee on Energy and Natural Resources.

By Mr. MATHIAS:

S. 937. A bill to establish a Cabinet-level committee to coordinate programs to increase exports; to the Committee on Governmental Affairs.

S. 938. A bill to revise section 1 of the Clayton Act to expand the scope of the anti-trust laws, and for other purposes; to the Committee on the Judiciary.

S. 939. A bill to exempt certain motor vehicle transportation by or for maritime carriers in terminal areas; to the Committee on Commerce, Science, and Transportation.

S. 940. A bill to amend the Internal Revenue Code of 1954 to repeal the requirement that officers of organizations or groups sponsoring foreign business related meetings verify certain activities of individuals attending such meetings; to the Committee on Finance.

By Mr. HATFIELD (for himself and Mr. LEAHY):

S. 941. A bill to modify and improve the financial incentives provided in part D of title IV of the Social Security Act with respect to State programs established under such part for the collection of support obligations assigned under part A of such title; to the Committee on Finance.

By Mr. DURKIN:

S. 942. A bill to amend the Internal Revenue Code of 1954 to provide for judicial review of certain interpretations of the Federal tax laws; to the Committee on Finance.

By Mr. MATHIAS:

S. 943. A bill to amend the Internal Revenue Code of 1954 to provide for a deduction paid into a reserve for medical and legal malpractice liability losses and expenses, to provide a deduction for certain amounts paid to captive insurers for malpractice insurance, and for other purposes; to the Committee on Finance.

By Mr. DURKIN:

S. 944. A bill to amend the Act of October 20, 1976, so as to remove certain population ceilings with respect to local governments with populations of less than ten thousand; to the Committee on Energy and Natural Resources.

By Mr. MATHIAS (for himself and Mr. BOREN):

S. 945. A bill to provide that annuity contracts purchased by the Uniformed Services University of the Health Sciences shall be entitled to the benefits of section 403(b) of the Internal Revenue Code of 1954; to the Committee on Finance.

By Mr. DURKIN:

S. 946. A bill to amend Section 6(e) (2) of the Land and Water Conservation Fund Act of 1965, as amended; to the Committee on Energy and Natural Resources.

By Mr. MATHIAS:

S. 947. A bill to amend title 18 of the United States Code to allow the transportation or mailing to a foreign country of materials concerning a lottery authorized by

XI and XVIII and titles V and XIX of the Social Security Act to require a second opinion as a condition for payment for elective surgical procedures, and to provide additional financial incentives for the provision of these opinions; jointly, to the Committees on Ways and Means and Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 3856. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income \$500 on interest on savings in the case of an individual taxpayer; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 3857. A bill to provide for the addition of Sailors Snug Harbor to Gateway National Recreation Area in the State of New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NEAL:

H.R. 3858. A bill to establish a Department of International Trade in the Executive branch to provide for the effective management of international trade and industry development programs, and for other purposes; to the Committee on Government Operations.

H.R. 3859. A bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment, and for other purposes; to the Committee on Government Operations.

By Ms. OAKAR:

H.R. 3860. A bill to authorize the Secretary of the Treasury to make annual contributions to local governments to defray a portion of the long-term debt incurred by such local governments to finance projects to preserve and restore certain facilities; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PASHAYAN (for himself, Mr. DERWINSKI, Mr. BURGNER, Mr. BADHAM, and Mr. HOWARD):

H.R. 3861. A bill to amend the act amending the Bretton Woods Agreement Act to require, beginning with fiscal year 1980, the total outlays of the Federal Government not to exceed its receipts; to the Committee on Government Operations.

By Mr. PAUL:

H.R. 3862. A bill to provide for a full assay, inventory, and audit of the gold reserves of the United States, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

H.R. 3863. A bill to provide that the Internal Revenue Service may not implement certain proposed rules relating to the determination of whether private schools have discriminatory policies; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 3864. A bill to amend the Federal Reserve Act to eliminate the prohibition on the payment of interest on demand deposits and to allow federally insured savings and loan associations and credit unions to receive demand deposits, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. VOLKMER:

H.R. 3865. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide authorizations for appropriations for the fiscal year ending September 30, 1980; to the Committee on the Judiciary.

By Mr. WINN (for himself, Mr. GLICKMAN, Mr. SEBELIUS, and Mr. SYMMS):

H.R. 3866. A bill to provide for the distribution of certain funds appropriated to pay judgments in favor of the Delaware Tribe of Indians and the Absentee Delaware Tribe of Western Oklahoma in Indian Claims Commission dockets 27-A and 241, 289, and

27-B and 338, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JACOBS:

H.J. Res. 314. Joint resolution proposing an amendment to the Constitution of the United States with respect to the compelling of testimony from a defendant in a criminal case in open court, a restriction on the use of prior convictions except when they are an element of the crime charged, and the right of a defendant in a criminal case to be informed of the evidence against him; to the Committee on the Judiciary.

H.J. Res. 315. Joint resolution proposing an amendment to the Constitution of the United States to limit service by Representatives, Senators, and Federal judges; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.J. Res. 316. Joint resolution to establish a Commission on Literacy; to the Committee on Education and Labor.

By Mr. RITTER:

H.J. Res. 317. Joint resolution to designate the week commencing with the first Sunday in October of each year as "National Hawk Watching Week"; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS (for himself, Mr. FLORIO, Mr. MARLENEE, Mr. FOLEY, Mr. ABDNOR, Mr. DASCHLE, Mr. WILLIAMS of Montana, Mr. ANDREWS of North Dakota, Mr. VENTO, Mr. TAUKE, Mr. RAHALL, Mr. MURPHY of Illinois, Mr. LEACH of Iowa, and Mr. HARKIN):

H.J. Res. 318. Joint resolution to require continuation of existing levels of rail service by the Chicago, Milwaukee, St. Paul and Pacific Railroad Co., for a period of 90 days; to the Committee on Interstate and Foreign Commerce.

By Mr. BALDUS (for himself, Mr. WAMPLER, Mr. JEFFORDS, Mr. SIMON, Mr. OBERSTAR, Mr. NOLAN, Mr. LAGOMARSINO, Mr. NEAL, Mr. GOLDWATER, Mr. COLEMAN, Mr. DE LA GARZA, Mr. JONES of North Carolina, Mr. KASTENMEIER, Mr. PASHAYAN, Mr. JONES of Tennessee, Mr. STANGELAND, Mr. PETRI, Mr. ANDREWS of North Dakota, Mr. CORMAN, Mr. HAGEDORN, Mr. AKAKA, Mr. BURGNER, Mr. LLOYD, Mr. WILLIAMS of Montana, Mr. FAZIO, Mr. BROYHILL, Mr. ROE, Mr. PANETTA, and Mr. COELHO):

H. Res. 244. Resolution to encourage the strengthening of U.S. farmer cooperatives, as a key to preserving the free enterprise, small-farmer system which has proven to be the most efficient system of food and fiber production in history; to the Committee on Agriculture.

By Mr. EDWARDS of Alabama:

H. Res. 245. Resolution expressing the sense of the House opposing the transfer of the Forest Service and the Farmers Home Administration business and industry programs; to the Committee on Agriculture.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

142. By the SPEAKER: Memorial of the Legislature of the State of Indiana, relative to Nazi war criminals; to the Committee on Foreign Affairs.

143. Also, memorial of the Senate of the Commonwealth of Puerto Rico, relative to peace in the Middle East; to the Committee on Foreign Affairs.

144. Also, memorial of the Legislature of the State of South Carolina, relative to the proposed transfer of the Forest Service and portions of the Soil Conservation Service from the Agriculture Department to a new Department of Natural Resources; to the Committee on Government Operations.

145. Also, memorial of the Legislature of the State of Indiana, requesting that Congress call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States requiring, in the absence of a national emergency, that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year; to the Committee on the Judiciary.

146. Also, memorial of the House of Representatives of the State of Hawaii, relative to seabed mining for manganese nodules; jointly, to the Committees on Foreign Affairs, Interior and Insular Affairs, Merchant Marine and Fisheries, and Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWNEY:

H.R. 3867. A bill for the relief of Marilyn Ina Williams; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 3868. A bill for the relief of King Fai Chol; to the Committee on the Judiciary.

H.R. 3869. A bill for the relief of Eileen Angella Crossdale; to the Committee on the Judiciary.

By Mr. MCHUGH:

H.R. 3870. A bill for the relief of Daniel E. and Mary Resciniti, individually and as parents and natural guardians of Anthony Peter Resciniti and Leo Resciniti, and for the relief of Anthony Peter Resciniti and Leo Resciniti; to the Committee on the Judiciary.

By Mr. MOTT:

H.R. 3871. A bill for the relief of Myung Hwan Kim; to the Committee on the Judiciary.

By Mr. SHARP (by request):

H.R. 3872. A bill for the relief of Ball State University and the American Association of Colleges for Teacher Education; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 3873. A bill for the relief of Jan Kutina; to the Committee on the Judiciary.

By Mr. HORTON:

H. Res. 246. Resolution referring H.R. 912 to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. COUGHLIN, Mr. GLICKMAN, Mr. KRAMER, Mr. LEACH of Louisiana, Mr. McCLOSKEY, Mr. MINETA, Mr. ROTH, Mr. SPENCE, Mr. WHITTAKER, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. WYATT, and Mr. YOUNG of Missouri.

H.R. 14: Mr. McEWEN.

H.R. 33: Mr. EVANS of the Virgin Islands.

H.R. 58: Mr. FRENZEL.

H.R. 160: Mr. ALEXANDER, Mr. COLLINS of Texas, Mr. EVANS of Georgia, Mr. MARLENEE, Mr. BEARD of Tennessee, and Mr. GINGRICH.

H.R. 333: Mr. LOTT, Mr. BAILEY, Mr. EDWARDS of Alabama, Mr. FAZIO, Mr. DOWNEY, Mr. NOLAN, and Mr. HANCE.

H.R. 990: Mr. BEARD of Rhode Island, and Mr. HYDE.

H.R. 996: Mr. CLEVELAND.

H.R. 1002: Mr. DUNCAN of Tennessee, Mr. FRENZEL, Mr. ROBERT W. DANIEL, JR., Mr. GRISHAM, Mr. NEAL, Mr. KEMP, and Mr. MOORHEAD of California.

H.R. 1200: Mr. DOUGHERTY, and Mr. MITCHELL of New York.

H.R. 1460: Mr. LOWRY.

H.R. 1500: Mr. DANIEL B. CRANE, Mr. FASCELL, Mr. KOSTMAYER, Mr. LEHMAN, Mr. STACK, and Mr. STUDDS.

cumstances, decides that he must implement it, then it is again brought before Congress, and one House in that instance can veto implementation of the President's plan.

So let us remember that Congress passed this law, and the President is submitting his standby authority plans to Congress in accordance with our directive, and we get another chance if indeed that plan must be implemented later.

Nobody wants gasoline rationing. I do not want it. But we cannot say there is an energy crisis, on the one hand, and then turn down the President's standby authority request, on the other. That is my judgment.

I agree with what the distinguished Senator from Alaska has said about bureaucratic regulations on coal, and I will join with him another day on that.

I thank the distinguished Senator from Texas for yielding.

THE CHANGING WORLD OF FREE TRADE

Mr. BENTSEN. Mr. President, throughout the post-World War II period, the United States has based its strategy for security and global stability primarily on geopolitical considerations. We have been concerned in the first instance with countering our traditional rivals, particularly the Soviet Union, on the chessboard of international politics and power relations.

Without discounting the patent Soviet strategic menace to the United States, it has nevertheless become apparent that today the threat to our future as the most powerful and prosperous nation in the world is as much economic as geopolitical.

In the early postwar era, the United States of America was the supreme, unchallenged factor in every aspect of the world power equation. We were the only nation to control nuclear weapons. Our economic infrastructure emerged from the war stronger than ever. Our gross national product was greater than that of the rest of the world combined. We held virtually all of the world's only functioning monetary reserve—gold. We had no significant dependence on any country or group of countries, while many nations were dependent on us.

Today, strategic superiority has clearly become a thing of the past and there is legitimate debate about the degree to which we retain even parity with the Soviet Union. There can be no debate, however, about the dramatic shift in our economic posture with respect to the world, or the extent to which we have receded from a position of dominance to one of interdependence and vulnerability.

It would, of course, be unrealistic to pretend that the United States could, or should, continue to dominate the world economy in 1979 as we did in 1948. We long ago recognized this fact and, for both selfish and altruistic reasons, made

a conscious effort to improve the quality of life and encourage economic expansion throughout the world.

A major postwar concern of the United States was to foster economic growth and political stability in Western Europe and Japan, regions which ironically have become our major competitors in the international marketplace. In Europe, the Marshall plan was a particularly bold and farsighted effort to contain the spread of Soviet influence by establishing democracy and prosperity as an attractive alternative to communism. Our postwar policies were also characterized by generous programs of foreign assistance and an overt willingness to permit our friends and acquaintances to protect their shattered economies while according them relatively free access to ours.

As part of our effort to win the friendship and respect of countries devastated by war and influence less developed nations to resist the spread of communism, trade policy became an important form of aid. Unilateral trade concessions were willingly and knowingly granted for essentially political purposes.

Our postwar approach to international trade and assistance was founded on the premise that "the rising tide lifts all boats," and its corollary, "What's good for the global economy is good for the United States. We'll get our share."

Convinced of the validity of the rising tide thesis and encouraged by its apparent success, an entire generation of American policymakers became conditioned to accept uneven rules of the game in financial and trading arrangements with the rest of the world. If political benefits were achieved at an economic cost, if we got the short end of the stick in a negotiation, there was still plenty to go around and no cause for alarm.

Other nations, in turn, became accustomed to U.S. generosity at the negotiating table, to the extent that they now appear incredulous or even outraged when we attempt to bargain in essentially our own self-interest.

For at least a decade after the war, the United States could afford to make economic, trade, and aid decisions on a political rather than economic basis. Today all that has changed. The past 30 years have seen shifts in the relative political and economic influence of nations more dramatic than at any time in the 20th century. We have been slow to recognize and respond to these changes, particularly as they relate to our trade relationships.

We have been slow to appreciate that factors beyond our control, such as the breakdown of the colonial system, the rapid spread of technical production skills to Second and Third World countries, the proliferation of multinational corporations, the rise of economic nationalism, state ownership of industrial enterprises, and the control of major reserves of world mineral and energy resources by Third World countries, have helped fashion a world economy that bears little if any resemblance to that

which existed immediately after World War II.

In a very fundamental sense, and in a relatively short period of time, the United States has moved from a tradition of essential self-sufficiency into an era of international interdependence. Our adjustment to date has been neither very easy nor very successful.

Once the major creditor to the world, the foreign-held debt of the United States today is larger than that of all countries combined. We are heavily dependent on foreign sources for almost all important minerals, many of them essential to our continued prosperity. In 1950 the United States produced 88 percent of the oil it consumed, and cheap energy was a key to our economic success. Today we import nearly 50 percent of our petroleum and will pay nearly \$50 billion a year for the privilege.

In 1971 we ran our first trade deficit in 50 years. Between 1971 and 1976 we had an accumulated trade deficit of \$13.3 billion. In 1977 we doubled that figure with a single-year deficit of \$26.5 billion. In 1978 our deficit rose to \$32 billion—\$12 billion with Japan alone—and this trend can only be reversed by substantive changes in our approach to trade.

U.S. production today is a declining proportion of world output. In 1965 the United States generated 14.3 percent of the world's exports, and took 11.8 percent of world imports. In 1977 our share of world exports was down to 10.7 percent while we increased our import position to 13.6 percent.

According to Department of Commerce data, U.S. export growth has averaged 7 percent annually since 1974, while imports have simultaneously averaged an annual growth rate of 13.5 percent.

A recent study by the National Association of Manufacturers suggests that there was no real U.S. export growth in 1977—a year of relatively high domestic growth—but imports increased by 12 percent.

The U.S. share of free world exports declined from 18.2 percent in 1960 to 11.8 percent in 1977.

Our domestic rate of productivity increase, a key indicator of our economic performance and potential, is the lowest of any industrialized democracy and is only one-eighth the figure for Japan.

During the past 5 years the Japanese yen has appreciated by almost 75 percent, and the German mark by 67 percent, while the dollar has depreciated. With oil prices based on dollars, the changing ratio for the mark and yen relative to the dollar has helped Germany and Japan curb inflation while ours has increased.

Our economy is expanding and inflating, sucking in vast quantities of imported commodities and finished goods. We absorb nearly half of all world production and a substantial share of all world exports—but we find ourselves increasingly unable to market successfully

our products abroad. We are no longer paying our way in international trade.

In assessing the dramatic changes that have occurred in the world economy over the past 30 years, changes that have generally worked to our disadvantage, the tendency in this country has been one of self-flagellation while foreign leaders have taken conspicuous pleasure in lecturing us on our faults. We have seen in this country a tendency to despair and an assumption that we are headed downhill into a period of very slow growth and inevitable loss of world leadership.

Any such attitude is unwarranted, defeatist, and dangerous. The economic crisis we confront today—and it is indeed a crisis—is largely of our own making and we clearly have the power to redress it. Rather than retreat into despair and self-doubt, we must attempt to understand the root causes of our problems and take appropriate steps to restore this country to its traditional position of economic preeminence.

One basic cause of our economic difficulties is our failure to adjust traditional, historically successful trade and economic policies to the current realities of the international marketplace. In many respects, the United States still approaches questions of trade with that splendid spirit of munificence and good will that served us so well in the first two decades after the war but is sadly and dangerously out of place today.

There is no longer any fat for us in the international trading system; it is in the fire. To the extent that we delude ourselves by continuing to believe that the world of trade is that of years long past, we run the risk of destroying our economic credibility and strength.

I have been a consistent advocate of the freest possible trade between nations throughout my career in public life. The world of free trade, however, rests on a cliché, which is that free trade must be fair trade, and all parties must abide by the rules. Today, the global economic scene is characterized by intense economic competition among countries with completely different political institutions and sharply contrasting national economic objectives. Trade between nations is becoming an increasingly carnivorous activity, and the traditional free trader has all the advantages of an antelope in a world of lions.

Startling changes in international economic trends and trading practices call into question the continued relevance of historical free trade doctrine. There is strong evidence that the "rising tide" of the world economy is no longer rising and, as that tide ebbs, there is a good chance that many U.S. boats could end up on the beach.

After a sustained postwar period of rapid global economic growth, the prevailing trend lately has been in the direction of global economic stagnation. Slower growth and higher rates of unemployment in many areas have resulted in keen competition for international mar-

kets, and the emergence of aggressive, self-promoting mercantilism in many industrialized and resource-rich countries.

In order to maximize the share of world resources available to its citizens, governments have joined hands with their industry—the United States being a notable exception—to enhance the competitive position of individual nations or sustain inefficient state-controlled economic enterprises. As ecopolitics has come to replace geopolitics as a paramount concern in many states, a policy of encouraging export earnings and discouraging foreign competition has become a tacit, but essential element of national policy among most of our trading "partners."

Of the 20 largest firms in Western Europe, half are wholly or predominantly state-owned. With the vast resources of the state behind them, firms like British Steel can afford to lose over \$800 million a year because they receive more than \$1 billion in Government support.

As Hugh Menzies pointed out recently in *Fortune* magazine, state-controlled companies now produce 8 percent of the non-Communist world's oil, 40 percent of its copper, and 33 percent of its iron ore and bauxite. In manufacturing, they turn out 54 percent of the steel, 35 percent of the polyethylene, and 20 percent of the automobiles.

State-controlled companies are also making headway in areas of high technology, frequently by robbing American expertise. The British National Enterprise Board, for example, is building a state-owned company in the United States in order to hire away top American scientists in one of our most rewarding technologies—semiconductors. It is difficult to believe that this technology, once purchased, will not be transferred to Britain where it can be nurtured with Government support and eventually turned against the United States.

Our international competition in the field of civil aviation is entirely government-owned or controlled. The international consortium that produces the A-300 airbus has a guaranteed market of state-controlled national airlines and, with government backing, is in a position to offer attractive purchasing arrangements.

The American petrochemical industry, which has been a major and effective exporter of chemical products, will obviously become a tempting target for developing nations with vast deposits of oil and gas, and substantial surplus capital to invest. We can expect to see many of these countries use American technology to establish their own state-supported and financed petrochemical industries which will be able to sell at a loss in an effort to drive private corporations out of the market.

These same nations have united in cartels to control the price and availability of raw materials essential to the economies of the industrialized nations. The major consuming nations have

proved unwilling or unable to develop a concerted response, with the result that the OPEC states have been able to play them off against each other, further increasing cartel leverage. The implications of this situation for "free trade" among nations are all too apparent.

In coming years, America could well become vulnerable in even our strongest areas of technological superiority. Stanley Harman has noted that the government-industrial establishment known as Japan Inc. has targeted the computer and software market for penetration in coming years. Japan Inc. has encouraged the cartelization of its computer manufacturers to maximize resources, has protected this fledgling industry, and provided funds to finance joint research and development. By way of contrast, Mr. Harman notes that the continuing anti-trust case of the United States against IBM is now entering its 10th year.

In the intensely competitive environment of international trade, with its web of special relations between the public and private sectors, the United States of America is the only nation where business and government tend to operate in an adversary relationship. We make it difficult for American firms to form consortia to bid on international contracts. We do not have a Department of Trade to encourage our exports. We lack even a coherent, well-developed policy of export promotion. It remains difficult for our manufacturers to obtain timely and effective relief from unfair foreign competition like dumping and subsidies. The simple act of obtaining an export permit is frequently a costly, time-consuming experience.

It is rapidly becoming apparent that, if left unattended, our international trade problems could lead to our undoing. No nation, not even one as fundamentally strong and prosperous as ours, can long endure a hemorrhage of dollars running at \$30 billion per year. The impact on domestic inflation, on the strength of our currency, and on the level of confidence in our economic system is obvious and alarming.

The crisis of trade is upon us. Our ability to respond effectively, creatively, and hopefully in concert with the international community is one of the most urgent and important tasks facing American policymakers. We can no longer afford simply to forecast an improvement and hope it comes about.

1979 will clearly be a year in which trade issues, and particularly the MTN, will be high on the list of congressional priorities. Foreign governments have been quick to learn the pressure points of the American political system. They hire the right public relations firms and take out full-page ads in our media to assure us that their markets are open and they are bending over backwards to help with our trade problems. One wonders how these governments would react if we took out such ads in their press and merely listed the corresponding prices

of exported items in their country and ours.

In the months to come, we will hear a great deal about the dangers of "protectionism," which could lead to "retaliation" and precipitate a global trade war. "Don't forget what happened in 1929" and frequent references to the Hawley-Smoot tariff will be the order of the day. Members of Congress who suggest that we must, if necessary, be prepared to take unilateral measures to protect domestic industries and the integrity of our economy will be branded with the scarlet P of protectionism and incur the opprobrium of free-traders worldwide.

For many years the United States has been a leading apostle of free trade. We are not without protectionist provisions, but more than any other nation we have opened our markets to foreign competition, even when it hurts. To a remarkable degree, we have practiced what we have preached in our approach to international trade. Unfortunately, this free market commitment is genuinely embraced by relatively few of our trading partners.

The ideal world of free and fair trade does not exist today and there is little reason to believe it is just around the corner. The practice of free and fair trade seems, in fact, to be on the decline worldwide.

The Multilateral Trade Agreements, ably and artfully negotiated by Ambassador Strauss, should eventually represent a marginal improvement in world trading relationships, but they represent neither the immediate nor the ultimate answer to our problems with trade. Many of the advantages contained in the MTN are either ephemeral—since the negotiations, by definition, are a zero sum game in which we give as much as we receive—or will not be realized for years to come. Our trade problems are of such a magnitude and urgency that the MTN, in and of itself, does not constitute an adequate remedy, and I believe those who have negotiated it would concur in this conclusion.

If we are to succeed in the area of international trade, we must recognize that there are irreconcilable, probably permanent, economic and political differences between countries and regions that need not be a barrier when mutually advantageous trade is possible but can nevertheless serve to distort traditional trade doctrines. We must begin today to shift our emphasis from a global approach to a long series of pragmatic, toughly negotiated trade and monetary arrangements based on a realistic concept of our own self-interest.

We might well begin this process with a close look at our trading relationship with Japan, our staunchest friend and ally in Asia. During the period 1968–78 the United States had an accumulated global trade deficit of \$54.3 billion, \$40.8 billion of it—or 75 percent—with Japan. We have had a balance-of-trade deficit with Japan every single year since 1965.

It would be difficult to refute the assertion that there is a glaring asymmetry in United States-Japanese trade. During the past 6 months I have frequently voiced my concern about this problem and suggested that a \$12 billion trade deficit with any nation is intolerable and, regardless of its ultimate causes, cannot be permitted to continue.

One obvious and certainly preferable way to restore some semblance of balance to this relationship would be for the Japanese to purchase more from this country. If it is impossible or impractical for the Japanese to buy more from us, then we must be prepared to purchase less from them. I can see no good reason for the United States of America to commit economic hara-kiri on the altar of a bogus free trade relationship, and I believe this position has substantial support in the Congress and among the American public.

This country, with its historical commitment to the freest possible trade, its leadership role in GATT and world financial institutions, its enormous market for world exports, and its current trade crisis, has every right to demand equal access to world markets as an essential precondition to continuing "free trade." We can no longer afford to accept situations in which our domestic markets are more permeable than those of our competitors. Where inequality exists, other nations must either remove restrictions or be prepared to confront offsetting measures in this country. If such a position is parochial, then there is an inherent logic in parochialism that cannot be denied.

There is substantial and frequently legitimate concern in this country about nontariff barriers to trade. In an era of cutthroat economic competition, any discussion of this matter immediately becomes charged with controversy, and fingers are pointed in all directions. The issue is further clouded by the fact that a nontariff barrier, by its very nature, is difficult to document. A recalcitrant, committed bureaucrat can be a formidable obstacle to free trade.

In recent years, our resentment over nontariff barriers has tended to focus on Japan. There is broad agreement that discriminatory Japanese trade practices must be exposed and abolished. There are differences of opinion over the extent to which this concern is legitimate and justified, but the reasons for its existence are not hard to discern.

I sincerely welcome, I am encouraged by news this morning that President Carter and Prime Minister Ohira have reached long-term agreement on economic issues. This is the stuff of which successful state visits are made. But it is also important to understand that we have heard these assurances before, most recently in January 1978, and they have not been effective. They have not worked. After Prime Minister Ohira leaves Washington, after the flags are down, after the banquets are over, we shall still have important work to do as we attempt to

establish our trading relationship with Japan on a basis of equity.

In 1976 we had a \$5.3 billion trade deficit with Japan. We were alarmed. We sought and received assurances that the Japanese would act to redress the situation. In 1977 the deficit rose to \$8 billion, and our protests resulted in the Strauss-Ushiba agreement, which would theoretically relieve the problem. Last year our trade deficit with Japan rose to \$12 billion, and it became apparent that we are making progress backward, all assurances to the contrary.

In addition, many American firms find it inordinately difficult to do business in Japan, despite the fact that the Japanese Government, in response to our protests, has taken steps to delete some of its overtly protectionist legislation. There nevertheless exists within the American business community, and on the part of many independent observers, the distinct impression that the Japanese—who quite correctly attach extreme importance to their performance in international trade—have for a variety of largely sociological reasons, woven a cocoon of frustrating and frequently impenetrable nontariff barriers around their economy in order to protect domestic industries and discourage imports. Thus, together with the unusually cozy relationship between the Japanese Government and corporate conglomerates—Japan Inc.—causes many people to question the extent to which one of our major trading partners is playing by the rules of the game.

In response to this concern, the point is frequently made that the United States does not try hard enough to export to Japan, that we are gradually losing our share of the Japanese market to our international competitors. To the extent that we are indeed a declining factor in Japanese purchases from abroad—the point can be argued both ways—this may well be attributable to the fact that countries such as the EC members are hardly reluctant to bring substantial and apparently successful pressure to bear on the Japanese and demand greater access to their markets.

The recent report by the Common Market's Executive Commission contains startling evidence of European discontent over Japanese trade policies and surpluses. The tenor of the report and its derogatory references to the Japanese people are, in my opinion, entirely uncalled for and out of place. It quickly becomes apparent, however, that the European nations—whose trade deficit with Japan is only \$6.8 billion compared to our figure of \$12 billion—are more than prepared to threaten retaliation in no uncertain terms unless the Japanese take prompt action to redress the situation. It is apparently not out of place in Europe to recommend consideration of "certain measures which would reduce in a significant manner—though not in a sufficiently important way to spark a worldwide trade war—Japanese imports into the European Community."

I fully appreciate the importance of trade and friendship between the United States and Japan. I frankly admire Japan's ability to compete internationally and think we could learn from the way the Japanese manage their economic affairs. I recognize that the Japanese Government has stated it is prepared to work with us to resolve our trade problems.

None of this, however, detracts from the basic fact of an enormous, ongoing bilateral trade deficit with Japan which, despite evidence of short-term improvement, gives every indication of continuing far into the future.

I believe we have a right and an obligation to cast some light on the reasons underlying our trade problems with Japan and other nations such as South Korea, Taiwan, Singapore, Indonesia, and Hong Kong, with whom we have a combined deficit nearly as large as with Japan. I believe we must determine what can be done to resolve these trade problems, multilaterally if possible, unilaterally if necessary.

Last December I asked the General Accounting Office to undertake an analysis of Japanese trade policy for the Joint Economic Committee to determine, on a case study basis, the extent to which Japanese nontariff barriers constitute obstacles to American exports. During the summer, after the June economic summit in Tokyo, I plan to hold comprehensive hearings in the JEC on United States-Japanese trade and the results of the GAO study.

At a time when Japan is running huge trade surpluses and we have a deficit of over \$30 billion, I think we should know why:

We are unable to conclude an agreement on Government procurement with the Japanese that would permit American firms full access to bids on orders worth over \$3 billion annually placed by the Nippon Telephone and Telegraph Corp. The Japanese are consciously and steadfastly protecting a significant market in which we are particularly competitive. It is not by accident that the NTT purchases only four-tenths of 1 percent of its equipment from abroad. If the Japanese are unwilling to eliminate this overtly protectionist restriction, which has assumed important symbolic overtones, then one must question their willingness to help us address common trade problems.

The Japan Tobacco & Salt Public Corp., with a monopoly on the \$7.5 billion tobacco market, marks up the price of American cigarettes by 350 percent, rendering them uncompetitive with Japanese cigarettes; and prohibits American brands from advertising in Japanese language publications.

The Japanese have a "high yen measures law" enabling the Government to underwrite any losses incurred by eligible exporters as a result of the rise in value of the yen, thereby negating the equilibrating forces, including the famous J-curve effect, that are supposed to bring our trade back more nearly into balance.

The cheapest color television set available to the Japanese consumer sells for \$600 while an American consumer can buy an equivalent Japanese set in this country for about half that price.

The Japanese public is forced to pay \$45 per pound for beef, when American producers could put quality beef on the Japanese market for a small fraction of that cost.

The Japanese make product approval inordinately difficult and time consuming for foreign competition and frequently refuse to accept testing data done outside the country. A review of cases pending before the Joint United States-Japan Trade Facilitation Committee provides clear evidence of the degree to which testing procedures and standards based on design rather than performance criteria inhibit the flow of U.S. goods into the Japanese market.

Japan, which produces no grapefruit, nevertheless retains strict quotas—despite recent concessions—on the importation of American grapefruit and juice.

Why Japan, having established a \$12 billion trade surplus with this country, balks at the expedited lowering of tariffs, previously agreed to, on computers, semiconductors, and color film.

This is merely an illustrative list of the sort of questions that must be answered in a dispassionate, unbiased manner if we are to understand and better manage our trade problems with Japan.

As we strive for symmetry in United States-Japanese trade at the highest possible level and insist on the elimination of Japanese nontariff barriers, it is important to understand that we are not seeking confrontation with Japan.

We are, however, prepared to insist that Japan, which has become a ranking world economic power, accept the responsibilities that inevitably accompany that status. The sort of insular, siege mentality that characterizes the Japanese approach to international trade was understandable in the wake of World War II, but is grossly out of place for a major world trading power in an era of interdependence.

Probably more than any other nation, Japan benefits from international trade and has a vested interest in preserving its access to world markets, particularly that of the United States. Japan also benefits from the global stability and sense of security that is a direct result of our willingness to devote a substantial portion of our wealth to the defense of the free world. The Japanese reap the advantages of the American security blanket but contribute virtually nothing to the cost of this effort, and spend 1 percent of their gross national product on defense. The comparable figure for the United States is 5 percent.

Despite the existence of a \$12 billion trade deficit in 1978, it is clear that Japan is not the sole source of our trade problems. It would be wrong and self-defeating to attempt to export the blame for our economic difficulties. There are some nasty scars on our back, but many of our trade wounds are self-inflicted.

They result from our past patterns of generosity, tolerance in negotiations, a radically altered international economic environment, and longstanding domestic economic policies urgently in need of reform. The United States will not become truly competitive in the international marketplace until we put our own economic house in order.

There are important measures we can and must take to protect our domestic producers and encourage American exports without doing violence to the current system of international trade. We should be prepared to act promptly to insure that American industry has adequate protection against predatory trade practices. We can no longer tolerate situations in which foreign competitors utilize unfair trade practices to rout and destroy a domestic industry, such as television, and remain immune from punishment until they have achieved their objective.

Existing fair trade laws need not be enforced in a protectionist manner, but they should be enforced and improved to make enforcement more timely and effective. There is reason to believe that Congress will take appropriate action in this area in the context of MTN implementing legislation.

It is hardly enough, however, to provide effective relief from those who do not play by the rules of trade. We must, at the same time, make a concerted effort to awaken the American business community to the importance of exports, provide appropriate incentives and support for export activities, and do away with the adversary relationship between government and business that marks this Nation as unique in the international community and cripples our trade potential.

Ever since World War II, the major concern of our economic policy has been to maintain an adequate level of demand in the system. This year's JEC annual report, which for the first time in 20 years was endorsed by all committee members, points out that the time has come for a fundamental reorientation in our economic strategy. The JEC reports suggests that the supply side of the economy should be our major area of concern and points out that policies which expand our capacity to produce goods and services more efficiently are the most effective way to deal with our current economic problems.

We face a capital formation crisis of major proportions in this country, primarily because our tax policies for the past 30 years have punished savings and investment while encouraging consumption. Our approach to capital investment for the modernization of our productive capacity and for research—both of which have an important bearing on export potential—has retarded our ability to compete internationally.

Productivity growth in our economy is far from satisfactory, and increased by only 0.8 percent in 1978. Our rate of productivity growth for the decade 1966-76 was only 2.2 percent, a decrease of

45 percent from the previous 10 years. During the same period, productivity in Japan has grown by an annual rate of 8.9 percent, and we are seeing the results in our balance of trade. While it is true that U.S. productivity levels remain above those of our competitors, recent trends are alarming and hardly auger well for our future performance in international trade. We must take immediate steps to improve productivity in our economy; tax incentives for investment and liberalized schedules for depreciation would certainly be steps in the right direction.

Effective anti-inflationary policies, including decreased levels of government spending as a portion of gross national product, are obviously a prerequisite to improved performance in international trade. Our continuing problems with inflation erode much of the competitive advantage we should expect to enjoy from appreciation of currencies such as the yen and the mark. Chronic inflation renders many U.S. products noncompetitive in foreign markets and debases the value of our currency.

Finally, at a time when the Minister of Trade is frequently the second most important figure in the government of our competitors, potential U.S. exporters deserve the support and encouragement that would be provided by a Department of Trade and Investment along the lines proposed by Senators RIBICOFF and ROHR and recently endorsed by the Senate Finance Committee. With international trade becoming an increasingly competitive and important ingredient in national prosperity, there is a transparent need for a branch of Government with a mandate to assist and encourage our export performance.

To the extent that we can control inflation, reduce Government spending, increase productivity, and encourage savings and investment domestically, we shall inevitably enhance our ability to compete successfully in international markets. This is a challenge we are prepared to accept.

At the same time, we must continue to insist that the markets of our trading partners be demonstrably as open as ours, in practice as well as in theory. Our friends must understand that the United States of America, by far the world's largest consumer of world exports, will no longer tolerate huge, long-term balance of trade deficits, regardless of their ultimate cause. If such dislocations are inherent in the international trading system, then it may be time to take a new look at the system. It may be time to search for realistic, workable alternatives to "free trade" that will make this and other nations less susceptible to the rigors of ecopolitical competition between nations and blocs of nations.

In a world of perfectly free and perfectly competitive international trade, "free trade" might well deliver the benefits traditionally claimed for it,

just as—given the conditions of a vacuum—a feather will fall as rapidly as a lead pellet. In the ideal world of free trade, we would have every nation doing what it does best, free to export its achievements or abundance, and import its requirements. The globe would become a single economic entity, with all countries contributing to the benefiting from interdependence. In conjuring up these images, one can almost hear the sails of the clipper ships snap to the wind as we savor the benefits of triangle trade.

Unfortunately for this glorious global vision, our trading relationships are not conducted in the vacuum of theory. Rather, we are doing business, with a notable lack of success, in a real world of deficits and surpluses, cartels, government control of industry, widely divergent national objectives, and cleverly disguised protectionist attitudes and policies.

We need a trade policy that is fully consistent with these realities. We need fundamental reforms in domestic economic policy that will render us more competitive in international trade. We must kindle an awareness of the magnitude of our trade problems and the importance of export performance. We must work with our trading partners to eliminate inequities in the current system and, if we are unsuccessful in this effort, we must be prepared to consider alternatives to the doctrine of free trade that has been the hallmark of our international economic policy for so many years.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield me 2 minutes of his 5, and I assure him he will not suffer thereby?

Mr. DANFORTH. I am happy to.

Mr. ROBERT C. BYRD. Mr. President, I compliment the Senator from Texas on his well-reasoned speech. He has pointed out that in 1978, our imports from Japan amounted to about \$24.5 billion, while our exports to Japan amounted to about \$12.9 billion, making a trade deficit of about \$12 billion. He pointed out that this trade deficit amounted to something like, I believe, \$5 billion in 1976, \$8 billion in 1977, and now, \$12 billion in 1978. I just want to state that among the imports from Japan in 1978 are the following by value: \$5 billion in passenger cars; \$2.5 billion in steel; \$800 million in motorcycles; \$300 million in videotape records—and I have two or three of them—\$450 million in textiles; \$1.5 billion in other electronic products. In each category, the value of imports was higher in 1978 than in 1977.

The figures on coal, which is not only produced in my State but in many other States in the Union, are another example of the problem. Japan has cut drastically its purchases of U.S. coal. U.S. coal shipments to Japan between 1974 and 1978 dropped from 28 million to something like 11 million tons. So what the Senator from the State of Texas has said and what I am saying, is that we must put

our own economic house in order and industry must get its act together. Industry must not be overly burdened by inhibiting Government regulations.

As the Senator pointed out, there is a pressing need for reciprocity in our trade relations. Trade must be a two-way street; increases in Japanese purchases of U.S. products need to balance our purchases from Japan. Without such action, sentiment will continue to grow in this country against a high level of imports from Japan. That is not what we want. What we want is a two-way street. The Japanese know very well that this trade imbalance is not only hurting the United States, but, in the final analysis, is hurting the world economy and eventually it will hurt the Japanese themselves.

Along this same line, I hope that the Congress and the President will give serious attention to creation of a Cabinet-level Department of International Trade. I have introduced a bill to this effect, and so has Senator RIBICOFF. Such a department will pull together the fragmented and often inconsistent Government programs intended to promote the U.S. trade position.

Mr. BENTSEN. I thank the distinguished majority leader.

I think the leader's statement reflects the general sentiment of this Congress. I think the Japanese Government would make a serious mistake if they thought otherwise. We have had assurances from time to time, and I hope that what has been said this morning in the papers of the agreement between the Prime Minister of Japan and the President of this country can come to fruition. What concerns us is that we have had these assurances repeatedly from year to year and we are looking for the final results.

Mr. TOWER. Will the distinguished majority leader yield?

The ACTING PRESIDENT pro tempore. The Senator from Missouri has control of the time.

Mr. DANFORTH. A parliamentary inquiry, Mr. President: How much time do I have?

The ACTING PRESIDENT pro tempore. The Senator has 1 minute.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the time thus far taken and 1 minute by the Senator from Texas (Mr. Tower) not be charged against Mr. DANFORTH's time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. TOWER. I thank the Senator from Texas for saying what should have been said today while the Japanese Prime Minister is in this country and for the reinforcing comments made by the distinguished majority leader. I want to comment on what the majority leader said about the impact on the whole world.

What is happening now impacts on the status of the dollar as the reserve currency of this world. Therefore, it is a matter that we are not only concerned about from a domestic standpoint, but from the standpoint of international

monetary stability. I thank the Senator from Texas for his initiative in this and I thank the distinguished majority leader.

Mr. BENTSEN. I thank the distinguished majority leader and the Senator from Texas.

S. 1065—TAX CREDIT ON CORPORATE GIFTS FOR BASIC RESEARCH

Mr. DANFORTH. Mr. President, what I am about to say, I think, fits in very well with my ally in trade matters (Mr. BENTSEN). He and I have worked very closely together with the Senate Committee on Finance on matters relating to international trade.

On March 21, 1979, I introduced S. 700, a bill to provide American businesses a 10-percent tax credit for research and development expenditures. The purpose of that measure is to help U.S. businesses retain the competitive edge in technology that they have historically held in the world marketplace. It also should help to turn around the disturbingly sluggish rate of productivity gains in our economy—a major problem which hampers our ability to increase living standards and which contributes to high rates of inflation.

The target of S. 700 is what is commonly called "applied" research, that is, research intended to lead directly to the creation of profitable products. There is another kind of research, so-called "basic" research, which also plays a major long-term role in technology development and productivity improvements. Basic research refers to the search for fundamental knowledge—knowledge which may or may not lead to commercial applications.

The purpose of the bill I am introducing today together with Senators JAVITS and MOYNIHAN is to encourage more spending on basic research. It would do so by providing a tax credit to corporations which give to colleges and universities grants earmarked for basic research. The tax credit would be equal to 25 percent of the gift.

Basic research is currently funded by the private sector, foundations, and the Federal Government—the Federal share being in excess of two-thirds of the total. U.S. businesses finance approximately 14 percent of basic research (down from 35 percent in 1954), an amount which represents only 4 percent of all corporate R. & D. spending. There is widespread disagreement over whether or not the Federal Government is spending enough on basic research. Although that subject is not the focus of this proposal, certain data on Federal research spending adds useful perspective to the larger issue involved.

Direct Federal spending on R. & D. has barely kept pace with inflation since 1963. In constant (1976) dollars, Federal R. & D. spending is not appreciably higher in 1979 (\$13.8 billion) than it was in 1963 (\$13.6 billion), and has never been higher than the 1967 level of \$16.5 billion.

I ask unanimous consent that the attached table on Federal R. & D. spending be printed in the RECORD at this point. It is adapted from Special Analyses, Budget of the U.S. Government, fiscal year 1980.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

RESEARCH AND DEVELOPMENT
(Federal spending 1963–present)
(Dollars in billions)

Year	Total	Adjusted* total
1963	12.5	13.6
1964	14.2	15.3
1965	14.6	15.5
1966	15.3	15.7
1967	16.5	16.5
1968	15.9	15.3
1969	15.6	14.2
1970	15.3	13.2
1971	15.5	12.8
1972	16.5	13.2
1973	16.8	12.6
1974	17.4	11.8
1975	19.0	11.8
1976	20.7	12.1
1977	23.9	13.2
1978 est.	26.2	13.2
1979 est.	29.4	13.8
1980 est.	30.6	13.5

*CPI=100 in 1967.

Mr. DANFORTH. Mr. President, there is other evidence of no growth in R. & D. spending. Data collected by the National Science Foundation show the following:

In 1964, R. & D. spending constituted 3 percent of GNP. In every year since then, R. & D. spending, as a percent of GNP, has declined. In 1977 it stood at 2.2 percent, and the National Science Foundation Board projects that it will fall to 2 percent of GNP by 1985.

In constant dollars, 1977 outlays were actually 4 percent below 1967 spending levels (this is in contrast to the fact that between 1961 and 1967 R. & D. outlays increased at an annual rate of 6 percent).

There has been no growth in R. & D. since 1968 when measured by the number of scientists and engineers engaged in R. & D. activity.

Meanwhile, our international trading rivals are increasing the share of their economies that they are spending on research and development. In recent years, both Japan and West Germany have outspent the United States (as a percentage of GNP) in nondefense R. & D. Another measure of this trend is patents. U.S. patent rights awarded to foreign interests increased 91 percent between 1966 and 1976; currently 37 percent of all U.S. patents issued annually are awarded to foreign entities.

Is this lag in R. & D. spending just a temporary phenomena? Not according to the Treasury Department's international trade expert, Gary Hufbauer. Testifying before a congressional hearing in 1978, he stated:

I think the erosion (of U.S. technological innovation) has, in a sense, just begun. Given the normal course of events, unless

there is some fundamental change, it will probably increase in the years to come.

What does this tell us? Corrective action is required immediately. On the basis of available information, it seems unlikely that the Federal Government will provide any significant new infusion of funds into basic R. & D. At the same time, there is no reason to believe that corporations are going to risk their profits (and the wrath of their shareholders) on basic R. & D. in the absence of additional incentives.

That is where this proposal comes in. By providing a tax incentive for corporate giving to universities, we would recognize the key role that universities already play in basic research, (colleges and universities conducted 54 percent of the basic research in our country in 1977) and also tap a significant new source of funds. Under this proposal, all results of basic research conducted with these contributions would be available to the public in general. This assures that commercial opportunities resulting from such research will be realized.

It is important to note that the bill is written in a way which prevents corporations from diverting normal gifts to universities and charities into basic research gifts. This will assure that the proposal does no harm to other worthy organizations which have traditionally benefited from corporate largesse.

Taken by itself, the provision will not solve the country's balance of trade problem, nor will it turn around the troubling stagnation in productivity increases in our economy. It does, however, represent a reasonable, constructive step in getting our economy back on track toward long-term, balanced growth.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BASIC RESEARCH CREDIT

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 (relating to credits) is amended by inserting after section 44C the following new section:

"Sec. 44D. Basic Research Credit

"(a) In the case of a corporation, other than an electing small business corporation (as defined in section 1371), there shall be allowed a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of—

(1) the excess of the qualified basic research contributions for the taxable year over the average qualified basic research contributions, reduced by

(2) the excess of the average charitable contributions over the charitable contribution for the taxable year.

"(b) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) shall not exceed the tax imposed by this chapter for the taxable year, reduced by the sum of the credits allowable under a section of this subpart having a lower number of letter

under FAIR plans—the remaining 95 percent are covered by the regular, private market. That is why my legislation also mandates that Federal minimum standards for arson investigation and prosecution, and for information disclosure by insurance applicants, be developed by the Federal Emergency Management Agency. Adequate applicant disclosure can help to keep those with records of suspicious property destruction from gaining further access to insurance funds. Mandatory investigation and prosecution will serve as an added deterrent, and will redress the lax practices which sometimes prevail in the industry. The States will have 2 years following publication of these minimum standards to incorporate them in their insurance regulations. At the end of that period, the minimum standards would be imposed as a condition for continued State participation in the FAIR plans.

Mr. President, neither this bill alone, or any action taken solely at the Federal level, will provide the total solution to the arson problem. The individual States must continue to pursue their own independent efforts. New Jersey has recently established a State task force of law enforcement and insurance experts to address its crisis situation, and has tightened FAIR plan regulations to exclude property owners with histories of arson, tax avoidance, and inadequate maintenance. Further, the city of Newark has established a \$50,000 "bounty fund" to fund rewards for information leading to the arrest and conviction of arsonists.

I believe that these actions are worthy of emulation, and continue the primary responsibility of the States and localities for insurance oversight and law enforcement. My legislation recognizes this role through its inclusion of the National Association of Insurance Commissioners in the standard-drafting process, and by imposing Federal standards only as a last resort. The standards to be developed can help to assure that coverage provided under Federal law no longer contributes to the decline of distressed areas, while at the same time providing models for State and underwriter action.

It is my belief that this legislation provides a useful complement to S. 252, the Anti-Arson Act recently introduced by my distinguished colleague, Senator GLENN, which it is my privilege to cosponsor. That bill's establishment of a Federal Task Force on Arson, and its increased focus on arson as a law-enforcement problem, are particularly noteworthy. The bill which I introduce today reinforces the community revitalization role of FAIR plans, and provides Federal leadership in establishing model antiarson protections. It is my hope that it will receive expeditious consideration, in view of the gravity of the situation which it addresses. ●

By Mr. McCLURE (for himself, Mr. HATCH, and Mr. GARN):

S.J. Res. 78. Joint resolution to authorize and request the President to designate the week of June 11 through June 17, 1979, as "National Jeep Search and Rescue Association Week;" to the Committee on the Judiciary.

● Mr. McCLURE. Mr. President, the National Jeep Search and Rescue Association was organized 19 years ago in 1960 as a nonprofit volunteer service organization. Its objectives are: to serve the public welfare in any disaster, catastrophe, or emergency; to render aid when called upon by the local, county, State, and national governmental law enforcement and governing agencies; and to render aid and assistance to all persons in difficulties or distress when met on the road or in the field. I am sure that all my colleagues who are familiar with the efforts of the National Jeep Search and Rescue Association will agree with me that they have met these aims and provided a great public service.

The men and women who compose the membership of the National Jeep Search and Rescue Association dedicate their own search and rescue equipment, and give unselfishly of their time, day or night. They spend many hours each year in intensive training, furthering and keeping abreast of the latest search and rescue skills and techniques. While I do not know how many thousands of people the National Jeep Search and Rescue Association has assisted or how many lives they may have saved, I do know that at least one member of the association gave up his life in the service of others.

I respectfully ask my colleagues to join me in honoring the dedication of the men and women of the National Jeep Search and Rescue Association by declaring the week of June 11 to June 17, 1979, as "National Jeep Search and Rescue Week." ●

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. BAYH, the Senator from California (Mr. CRANSTON), the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Alabama (Mr. HEFLIN), the Senator from Pennsylvania (Mr. HEINZ), the Senator from Maryland (Mr. MATHIAS), the Senator from Hawaii (Mr. MATSUNAGA), the Senator from Michigan (Mr. RIEGLE), and the Senator from Florida (Mr. STONE) were added as cosponsors of S. 25, a bill to designate the birth date of Dr. Martin Luther King, Jr., as a national holiday.

S. 43

At the request of Mr. HATCH, the Senator from West Virginia (Mr. RANDOLPH) and the Senator from Washington (Mr. JACKSON) were added as cosponsors of S. 43, the National Ski Patrol System Recognition Act.

S. 35

At the request of Mr. HELMS, the Senator from Utah (Mr. HATCH) and the Senator from Idaho (Mr. McCLURE) were added as cosponsors of S. 35, a bill to repeal the Credit Control Act.

S. 334

At the request of Mr. BAYH, the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 334, the Family Farm Antitrust Act of 1979.

S. 377

At the request of Mr. ROTH, the Senator from Montana (Mr. BAUCUS) was

added as a cosponsor of S. 377, a bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment.

S. 414

At the request of Mr. BAYH, the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 414, the University and Small Business Patent Procedures Act.

S. 449

At the request of Mr. HATCH, the Senator from California (Mr. HAYAKAWA) was added as a cosponsor of S. 449, the Charitable Organizations Preservation Act of 1979.

S. 503

At the request of Mr. JAVITS, the Senator from Illinois (Mr. PERCY) and the Senator from Minnesota (Mr. DURENBERGER) were added as cosponsors of S. 503, the Privacy Act Amendments of 1979.

S. 598

At the request of Mr. BAYH, the Senator from Delaware (Mr. BIDEN), the Senator from Nebraska (Mr. ZORINSKY), the Senator from Connecticut (Mr. WEICKER), and the Senator from Iowa (Mr. CULVER) were added as cosponsors of S. 598, the Soft Drink Interbrand Competition Act.

S. 854

At the request of Mr. BAYH, the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 854, the Polygraph Control and Civil Liberties Protection Act.

S. 955

At the request of Mr. HELMS, the Senator from Mississippi (Mr. COCHRAN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 955, a bill to provide for the safeguarding of taxpayer rights, and for other purposes.

S. 1109

At the request of Mr. CHAFEE, the Senator from New York (Mr. MOYNIHAN) and the Senator from Washington (Mr. MAGNUSON) were added as cosponsors of S. 1109, a bill to amend title XVI of the Social Security Act with respect to the negotiability of supplemental security income checks, and for other purposes.

SENATE JOINT RESOLUTION 77

At the request of Mr. STEVENSON, the Senator from North Dakota (Mr. BURDICK) and the Senator from Kansas (Mrs. KASSEBAUM) were added as cosponsors of Senate Joint Resolution 77, congratulating the men and women of the Apollo program upon the 10th anniversary of the first manned landing on the Moon and requesting the President to proclaim the period of July 16 through 24, 1979, as "U.S. Space Observance."

SENATE RESOLUTION 159—ORIGINAL RESOLUTION REPORTED WAIVING CONGRESSIONAL BUDGET ACT

Pursuant to the order of May 10, 1979, on May 11, 1979, Mr. CHURCH, from the Committee on Foreign Relations, reported the following original resolution, which was referred to the Committee on the Budget:

of the adjusted gross incomes of such individual and such individual's spouse.

"(d) SPECIAL RULES.—"

"(1) TAX TREATED AS INCOME TAX.—For purposes of this title, the tax imposed by subsection (a) shall be treated, under regulations prescribed by the Secretary, as an income tax imposed by this chapter.

"(2) MARITAL STATUS.—For purposes of this section, marital status shall be determined under section 143.

"(3) CERTIFICATION BY SECRETARY OF ADVANCE AMOUNT REPAID.—The Secretary shall certify to the Commissioner of Education the amount of tax paid under subsection (a) for the taxable year with respect to each tuition advance recipient in repayment status."

(b)(1) The table of sections for such part I is amended by striking out the item relating to section 5 and inserting in lieu thereof the following:

"Sec. 5. Tax imposed for repayment of Federal tuition advances.

"Sec. 6. Cross references relating to tax on individuals."

(2) Subsection (a) of section 6012 of such Code (relating to persons required to make returns of income) is amended by striking out "and" at the end of paragraph (6), by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(8) Every individual who, at the close of the taxable year, is a Federal tuition advance recipient in repayment status (as defined in section 5(c)(2))."

(3) Subsection (a) of section 3402 of such Code (relating to income tax collected at source) is amended before the period in the third sentence by inserting "and to reflect an additional amount of tax to be deducted and withheld by reason of the tax imposed by section 5".

(c)(1) The amendments made by this section shall apply to taxable years ending on or after the first day of the first calendar year beginning after the date of the enactment of this Act.

(2) The amendment made by subsection (b)(3) shall apply to wages paid on or after the first day of the first calendar year beginning after the date of the enactment of this Act.

Sec. 4. For the purpose of section 17 of the Bankruptcy Act, any tax imposed by section 5 of the Internal Revenue Code of 1954 shall be deemed to be a tax which became legally due and owing by the bankrupt to the United States within three years preceding bankruptcy.

Sec. 5. The Secretary of the Treasury and the Commissioner of Education shall, not later than January 15 of each year, submit to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate any recommendations for changes in the rates or methods of collection of the taxes imposed by section 5 of the Internal Revenue Code of 1954 that may be necessary to insure the continued solvency and availability of the trust fund established pursuant to section 451(b)(1) of the Higher Education Act of 1965.

Sec. 6. The Tuition Advance Fund shall terminate 10 years after the effective date of this Act unless prior to that date a law has been enacted which continues the Program.●

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the bill introduced by Senator DURKIN amending the Higher Education Act and the Internal Revenue Code be referred jointly to the Committee on Finance and

the Committee on Labor and Human Resources.

The PRESIDING OFFICER. Is there objection?

Mr. BAKER. Mr. President, reserving the right to object for just one moment—I find I have no objection. I understand it has been cleared.

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. GOLDWATER (for himself, Mr. DECONCINI, Mr. DOLE, and Mr. LAXALT):

S.J. Res. 82. A joint resolution to designate the week commencing with the third Monday in February of each year as "National Patriotism Week"; to the Committee on the Judiciary.

NATIONAL PATRIOTISM WEEK

● Mr. GOLDWATER. Mr. President, it is my privilege today to introduce legislation providing for National Patriotism Week. I am joined in the proposal by my colleague from Arizona (Mr. DECONCINI), the Senator from Nevada (Mr. LAXALT), and the Senator from Kansas (Mr. DOLE).

Mr. President, the resolution would designate the 7-day period beginning with the third Monday in February of each year as a week when Americans, especially young people, can join together in expressing their pride in their Nation and their freedoms.

It is a special pride to me that the idea originated with an Arizonan, Miss Lori Cox of Scottsdale, who is now a junior at Arizona State University. The distinctive feature of the proposal is its emphasis on permitting young Americans to rededicate themselves to the highest values of the Nation. It is true that there is a Veterans Day, a Flag Week, and Fourth of July ceremonies. These each involve particular aspects of patriotism. But there is no time set aside especially for the expression and encouragement of patriotism among young people during the school year.

Therefore, the resolution we are introducing today sets aside a week when schoolchildren can concentrate on the achievements and greatness of their country. The resolution encourages primary and secondary schools to adopt an appropriate curriculum for the week, and I would hope that schools in all States would be willing to do this voluntarily.

Mr. President, the resolution recognizes the fact that the future of our country lies in the hands of our youth and in their understanding of the history and values of the United States.

In one of his Presidential messages, George Washington said that liberty presupposes an educated and responsible people who are watchful of their rights, but respectful to the laws. Providing for a Patriotism Week will help to foster the exact qualities which Washington considered necessary to a free people.

To some extent, observance of a National Patriotism Week may help revive the "Spirit of 1776" by which our original Patriots believed so strongly that the American people are unique in their character, their opportunity, and their mission.

Mr. President, I know the great majority of Americans still retain their confidence in our principles, traditions, and future, and I am proud to introduce legislation which may assist them in expressing that confidence. I ask unanimous consent that the resolution may be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 82

Whereas the freedom known in this country was won through great sacrifice and long tribulation; and

Whereas similar sacrifices have been made by the citizenry of the United States to extend liberty and well-being to other nations of the world; and

Whereas it is altogether fitting and proper to recognize such great freedoms, and to honor so great a nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week commencing with the third Monday in February of each year is hereby designated as "National Patriotism Week".

Sec. 2. The President is authorized and requested to issue annually a proclamation—

(1) calling upon the people of the United States to commemorate National Patriotism Week with appropriate celebrations and observances;

(2) encouraging primary and secondary schools to adopt an appropriate curriculum for that week including such elements as the study of the Pledge of Allegiance and the national anthem, national symbols, seals, and mottos, and national monuments, heroes, and accomplishments; and

(3) requesting each Federal agency to recognize such week by taking such action as it may deem appropriate.●

ADDITIONAL COSPONSORS

S. 252

At the request of Mr. GLENN, the Senator from Iowa (Mr. CULVER) was added as a cosponsor of S. 252, the Antiarson Act of 1979.

S. 294

At the request of Mr. MATHIAS, the Senator from Kentucky (Mr. HUBLESTON), was added as a cosponsor of S. 294, a bill to repeal the social security offset provision.

S. 330

At the request of Mr. HART, the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 330, the Veterans' Administration Adjudication Procedure and Judicial Review Act.

S. 344

At the request of Mr. STAFFORD, the Senator from Tennessee (Mr. BAKER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 344, a bill to amend section 131, title 23, United States Code.

S. 377

At the request of Mr. ROTH, the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 377, a bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment.

Mr. DELLUMS: Committee on the District of Columbia. Report of budget authority and outlays by major programs (Rept. No. 96-290). Referred to the Committee of the Whole House on the State of the Union.

Mr. DODD: Committee on Rules. House Resolution 324. Resolution providing for the consideration of H.R. 3930. A bill to amend the Defense Production Act of 1950 to extend the authority granted by such Act and to provide for the purchase of synthetic fuels and synthetic chemical feedstocks, and for other purposes (Rept. No. 96-291). Referred to the House Calendar.

Mrs. CHISHOLM: Committee on Rules. House Resolution 325. Resolution providing for the consideration of H.R. 4439. A bill relating to sanctions against Zimbabwe-Rhodesia. (Rept. No. 96-292). Referred to the House Calendar.

Mr. ROBERTS: Committee on Veterans' Affairs. Report on allocation of budget totals to subcommittees. (Rept. No. 96-293). Referred to the Committee of the Whole House on the State of the Union.

Mr. CHARLES WILSON of Texas: Committee on appropriations. H.R. 4580. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1980, and for other purposes. (Rept. No. 96-294). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee on Agriculture. H.R. 4303. A bill to amend the Food Stamp Act of 1977 to eliminate certain restrictions on excess shelter expense deductions with respect to households which are composed entirely of persons who are age 60 or older or who are recipients of benefits under title XVI of the Social Security Act and to allow deductions for certain medical and dental expenses in the computation of incomes for such households; with amendment (Rept. No. 96-295). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAXMAN (for himself and Mr. CARTER):

H.R. 4556. A bill to amend section 1521 of the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare to extend conditional designations of State health planning and development agencies; to the Committee on Interstate and Foreign Commerce.

By Mr. APPELGATE:

H.R. 4557. A bill to amend the Clean Air Act to provide for certain temporary emergency suspensions of applicable implementation plan provisions for periods of 5 years in the case of certain fuel-burning stationary sources, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BEDELL:

H.R. 4558. A bill to authorize the Secretary of Agriculture to guarantee loans for the construction and operation of alcohol fuel plants, to provide for the sale of agricultural commodities for the operation of such plants, to amend the Agricultural Act of 1949 with respect to the price support program for feed grains, and for other purposes; jointly, to the Committees on Agriculture, Banking, Finance and Urban Affairs, and Interstate and Foreign Commerce.

By Mr. CARTER:

H.R. 4559. A bill to amend title II of the Social Security Act to provide that the waiting period for disability benefits shall not be applicable in the case of a disabled individual suffering from a terminal illness; to the Committee on Ways and Means.

By Mr. DORNAN:

H.R. 4560. A bill to curb inflation by providing for the reduction of the annual rates of pay for Members of Congress and for certain appointed Federal officials, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CHAPPELL:

H.R. 4561. A bill to establish uniform minimum gross vehicle weights on Interstate Highways; to the Committee on Public Works and Transportation.

By Mr. DASCHLE:

H.R. 4562. A bill to amend the Federal Food, Drug, and Cosmetic Act for the purpose of restricting the use of the terms "buffalo" and "water buffalo" on the labels and in the advertising of certain foods; to the Committee on Interstate and Foreign Commerce.

H.R. 4563. A bill to amend title 23, United States Code, to establish uniform weight and length limitations for vehicles operating on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. JACOBS:

H.R. 4564. A bill to amend the Internal Revenue Code of 1954 to equalize the taxation of certain cooperatives; to the Committee on Ways and Means.

By Mr. JENKINS:

H.R. 4565. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for each barrel of oil produced from shale; to the Committee on Ways and Means.

By Mr. JOHNSON of California (for himself, Mr. MURPHY of New York, and Mr. BREAU) (by request):

H.R. 4566. A bill to amend the Federal Water Pollution Control Act, as amended, and the Solid Waste Disposal Act, as amended, to provide a system of response, liability, and compensation for releases of oil, hazardous substances, and hazardous wastes, to establish a response and liability fund, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce, Merchant Marine and Fisheries, and Public Works and Transportation.

By Mr. JONES of Oklahoma (for himself, Mr. FRENZEL, Mr. GIBBONS, Mr. CONABLE, Mr. GUARINI, Mr. ARCHER, Mr. YOUNG of Alaska, Mr. HUGHES, Mr. LAFALCE, Ms. MIKULSKI, Mr. CLEVELAND, Mr. BADHAM, Mr. RINALDO, Mr. LEE, and Mr. CHARLES WILSON of Texas):

H.R. 4567. A bill to redesignate the Department of Commerce as the Department of Commerce and International Trade, to consolidate in such department various functions of the Government with respect to international trade, and for other purposes; to the Committee on Government Operations.

By Mr. MOORHEAD of Pennsylvania (for himself, Mr. ADDABBO, Mr. ALEXANDER, Mr. ANDREWS of North Dakota, Mr. ANNUNZIO, Mr. APPELGATE, Mr. BAILEY, Mr. BENNETT, Mr. BEVILL, Mr. BIAGGI, Mr. BINGHAM, Mr. BOLAND, Mr. BONIOR of Michigan, Mr. BRADEMAs, Mr. BUCHANAN, Mr. BUTLER, Mrs. BYRON, Mr. COELHO, Mr. CORRADA, Mr. COTTER, Mr. COURTER, Mr. DAN DANIEL, Mr. ROBERT W. DANIEL, Jr., Mr. D'AMOURS, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. DAVIS of Michigan, Mr. DELLUMS, Mr. DEVINE, Mr. DIXON, Mr. DONNELLY, Mr. ERTLE, Mr. FASCELL, Mr. FAZIO, Mrs. FENWICK, Mr. FINDLEY, Mr. FLIPPO, Mr. FLOOD, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. FOUNTAIN, Mr. FROST, Mr. FUQUA, Mr. GAYDOS, Mr. GIBBONS, Mr. GILMAN, Mr. GLICKMAN, Mr. GOODLING, Mr. GRADISON, Mr. GREEN, Mr. GRISHAM, Mr. GUDGER, Mr. HAGEDORN, Mr.

HARRIS, Mr. HARSHA, Mr. HAWKINS, Mr. HEFNER, Mr. HEFTLE, Mrs. HOLT, Mr. HOPKINS, Mr. HORTON, Mr. HUCKABY, Mr. HUGHES, Mr. HYDE, Mr. ICHORD, Mr. JONES of Tennessee, Mr. KILDEE, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LEACH of Louisiana, Mr. LEDERER, Mr. LLOYD, Mr. MARKS, Mr. MARRIOTT, Mr. MAZZOLI, Mr. McDADE, Mr. MCKAY, Mr. MCKINNEY, Mr. MICHEL, Mr. MILLER of Ohio, Mr. MINETA, Mr. MITCHELL of New York, Mr. MITCHELL of Maryland, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MOTT, Mr. MURPHY of Pennsylvania, Mr. MURPHY of Illinois, Mr. NEDZI, Mr. NELSON, Mr. NICHOLS, Mr. NOLAN, Mr. NOWAK, Mr. OBERSTAR, Mr. PANETTA, Mr. PATTEN, Mr. PATTERSON, Mr. PREYER, Mr. PRITCHARD, Mr. QUILLLEN, Mr. RAHALL, Mr. RAILSBACK, Mr. RINALDO, Mr. RITTER, Mr. RODINO, Mr. ROE, Mr. ROSTENKOWSKI, Mr. RUNNELS, Mr. SABO, Mr. ST GERMAIN, Mr. SANTINI, Mr. SAWYER, Mr. SCHEUER, Mr. SLACK, Mr. SMITH of Iowa, Mrs. SPELLMAN, Mr. STANTON, Mr. TAUKE, Mr. THOMPSON, Mr. TRAXLER, Mr. VOLKMER, Mr. WAMPLER, Mr. WATKINS, Mr. WHITEHURST, Mr. WILLIAMS of Ohio, Mr. CHARLES WILSON of Texas, Mr. WINN, Mr. WOLFF, Mr. WON PAT, Mr. WRIGHT, Mr. WYATT, Mr. WYLIE, Mr. YATRON, Mr. YOUNG of Missouri, and Mr. ZEFERETTI):

H.R. 4568. A bill to amend the Defense Production Act of 1950 to extend the authority granted by such act and to provide for the purchase of synthetic fuels and synthetic chemical feedstocks, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PAUL:

H.R. 4569. A bill to amend the Internal Revenue Code of 1954 to repeal the estate and gift taxes and the tax on generation-skipping transfers; to the Committee on Ways and Means.

By Mr. STAGGERS (by request):

H.R. 4570. A bill to reform the economic regulation of railroads, to improve the quality of rail service in the United States through financial assistance which encourages railroad restructuring, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS (for himself and Mr. FLORIO) (by request):

H.R. 4571. A bill to provide a system of response, liability, and compensation for releases of oil, hazardous substances, and hazardous wastes, to establish a response and liability fund, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce, Merchant Marine and Fisheries, and Public Works and Transportation.

By Mr. THOMPSON (for himself, Mr.

HAWKINS, Mr. BRADEMAs, Mr. ANNUNZIO, Mr. GAYDOS, Mr. JONES of Tennessee, Mr. MOLLOHAN, Mr. VAN DEERLIN, Mr. MINISH, Mr. DAVIS of South Carolina, Mr. ROSE, Mr. JOHN L. BURTON, Mr. PEYSER, Mr. RATCHFORD, Mr. FAZIO, Mr. FRENZEL, Mr. GINGRICH, and Mr. LEWIS):

H.R. 4572. A bill to amend title 44, United States Code, to provide for improved administration of public printing services and distribution of public documents; to the Committee on House Administration.

By Mr. UDALL:

H.R. 4573. A bill to establish a coordinated, prompt, and simplified process for Federal approval of significant nonnuclear energy facilities, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Interstate and Foreign Commerce.

By Mr. WOLFF:

H.R. 4574. A bill to provide for a Council

No. 96-194, pt. II). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JONES of Oklahoma:

H.R. 4691. A bill to amend the Trade Act of 1974, the Tariff Act of 1930, and other acts relating to trade in order to coordinate certain trade functions of the United States, and for other purposes; jointly, to the Committees on Ways and Means and Government Operations.

By Mr. DORNAN:

H.R. 4692. A bill to provide for the exclusion from the United States of aliens affiliated with terrorist organizations, to require investigations of registered agents of such organizations, and for other purposes; to the Committee on the Judiciary.

By Mr. DANNEMEYER:

H.R. 4693. A bill to amend the Emergency Petroleum Allocation Act of 1973 and the Natural Gas Policy of 1978 to eliminate Federal price control and allocation authority over natural gas, crude oil and petroleum products; to the Committee on Interstate and Foreign Commerce.

By Mr. FISHER:

H.R. 4694. A bill to amend the Internal Revenue Code of 1954 to make certain changes in the carryover basis provisions which were added by the Tax Reform Act of 1976, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEDORN:

H.R. 4695. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where both are employed; to the Committee on Ways and Means.

H.R. 4696. A bill to amend the Internal Revenue Code of 1954 to allow certain married individuals who file separate returns to be taxed as unmarried individuals; to the Committee on Ways and Means.

By Mr. LUKEN:

H.R. 4697. A bill to amend title 23, United States Code, to establish uniform weight and length limitations for vehicles operating on the National System of Interstate and Defense Highways, and to provide that the Secretary of Energy shall report to the Congress on fuel savings resulting from the establishment of such uniform standards; jointly, to the Committees on Public Works and Transportation, and Interstate and Foreign Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

243. By the SPEAKER: A memorial of the Assembly of the State of New York, relative to property tax relief; to the Committee on Government Operations.

244. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to recodification of the Federal criminal code; to the Committee on the Judiciary.

245. Also, memorial of the Assembly of the State of New York, relative to nonconforming tourist-oriented directional signs on highways; to the Committee on Public Works and Transportation.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 3718: Mr. GILMAN, Mr. MARRIOTT, Mr. ROE, and Mr. STOKES.

H.R. 3990: Mr. ROSTENKOWSKI, Mr. BRODHEAD, Ms. MIKULSKI, and Mr. NOWAK.

H.R. 4000: Mr. ROSTENKOWSKI and Mr. BRODHEAD.

H.R. 4024: Mrs. SPELLMAN, Mr. STOKES.

H.R. 4157: Mr. MINETA.

H.R. 4158: Mr. STOKES and Mr. RICHMOND.

EXTENSIONS OF REMARKS

ABOLITION OF FOREIGN OIL TAX CREDIT

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 1979

● Mr. ADDABBO. Mr. Speaker, recently, my colleague from New York, Mr. ROSENTHAL, testified before the Ways and Means Committee about studies conducted by the subcommittee he chairs on the Government Operations Committee. I believe it would be instructful for the Members of this body to read this brief testimony and I include it to be included in the RECORD:

STATEMENT OF CONGRESSMAN
BENJAMIN S. ROSENTHAL

I greatly appreciate the opportunity to appear before the Ways and Means Committee in support of legislation which would abolish the foreign oil tax credit.

During the second session of the 95th Congress, the House Government Committee approved unanimously, a report that is relevant and timely to this committee's consideration of the foreign tax credit issue. The report, entitled, "Foreign Tax Credits Claimed by U.S. Petroleum Companies," was based on an investigation and extensive hearings by the Commerce, Consumer and Monetary Affairs Subcommittee, which I chair. It addressed the following central questions:

(1) Did the U.S. Treasury Department and the Internal Revenue Service properly administer those sections of the Tax Code relating to foreign tax credits claimed by U.S. petroleum companies operating abroad;

(2) To what extent were such private tax rulings influenced by non-tax interventions and considerations; and

(3) Were IRS's rulings consistent with the procedural and substantive requirements of U.S. tax laws?

The report concluded, essentially, that Treasury and IRS improperly administered the foreign oil tax credit provisions of the Internal Revenue Code by treating "royalty" and similar payments as legitimate income taxes for U.S. tax purposes; that IRS was improperly influenced by the State Department, the Treasury Department's Office of International Affairs and the multinational oil companies with respect to its administration of the Tax Code on foreign income tax credits; and that IRS's administration of the law, which permitted impermissible tax credits to be taken by multinational oil companies, has cost the United States Treasury close to \$10 billion since 1974.

The committee report recommended that IRS prohibit U.S. petroleum companies from taking a tax credit for impermissible foreign payments. The report also recommended that IRS's Jan. 16, 1978, Aramco-Saudi Arabian ruling prohibiting such credits (unless specified criteria were met) be applied retroactively so that the U.S. Treasury could recover billions of dollars in revenues lost as a result of improperly claimed credits going back to July 14, 1976.

This past March, the Commerce, Consumer and Monetary Affairs Subcommittee held oversight hearings into the "Interrelationship Between U.S. Tax Policy and U.S. Tax Energy Policy." Witnesses at the hearing testified, convincingly, that there is virtually no coordination between tax policy experts at the Treasury Department and U.S. energy policymakers at the Department of Energy and that as a consequence the policy, of granting foreign oil tax credits was being continued to the detriment of the U.S. goal of energy independence.

Mr. Chairman and members of the committee, foreign oil "taxes" are, in reality, "royalties" that should be treated as ordinary and necessary business deductions under U.S. tax

laws and not as tax credits. The foreign oil tax credit serves no useful public policy or tax policy purpose. To the contrary, even with tightened administration, it undermines taxpayer respect for our tax system and is counterproductive to the economic, energy and national security interests of the United States. In theory, the foreign tax credit is available to all companies operating abroad. In practice, however, its benefits accrue to only a very small number of firms, most of them multinational oil companies. A few IRS statistics will illustrate this point: In 1975 (the most recent year for which IRS statistics are available), total foreign oil credits amounted to \$20 billion, of which \$15 billion or 75 percent was claimed by oil and gas firms. The largest 11 oil and gas firms claimed over \$9.9 billion of the foreign oil tax credits. Fewer than 40 companies, or less than one hundredth of one percent of U.S. firms claimed the \$15 billion foreign oil tax credit in 1975.

The consequences of the present foreign oil tax credit policy include the loss of tens of billions of dollars directly to the Treasury, the indirect tax loss of many billions more due to the loss of jobs and consolidated tax offsets, and the undermining of national energy policy goals in this vital area. Direct losses to the U.S. Treasury are currently running at about \$1.5 billion per year. However, with the astronomical increase in foreign crude prices and U.S. oil company payments to foreign governments, oil tax credits claimed by U.S. petroleum companies will also increase drastically. More importantly, foreign oil tax credits impair our efforts to achieve greater energy independence because they encourage foreign petroleum exploration and development at the expense of domestic production. Moreover, the foreign oil tax credit creates an unfair competitive advantage by allowing multinational oil and gas firms tax benefits for which the smaller independent domestic petroleum companies are ineligible. Our domestic petroleum producers

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS, FROM APRIL 1, TO JUNE 30, 1979

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Joseph R. Biden, Jr.: Federal Republic of Germany.....	Mark.....	320.88	168.00	62.80	32.88			383.68	200.88
United States.....	Dollar.....				1,227.00				1,227.00
Senator Claiborne Pell: Norway.....	Kroner.....	1,301.35	252.00	450	87.05			1,750.88	339.05
Sweden.....	Kroner.....	1,116.50	252.00					1,116.90	252.00
Switzerland.....	Franc.....	60.879	35.00					60.879	35.00
United States.....	Dollar.....				575.00				575.00
Senator Jacob K. Javits: Sudan.....	Pound.....	103.255	207.00					103.295	207.00
William B. Bader: United Kingdom.....	Pound.....	174.16	364.00	37.32	78.00			121.48	442.00
United States.....	Dollar.....				752.00				752.00
Geryld B. Christianson: Czechoslovakia.....	Crown.....	1,431	136.00		366.00			1,431	502.00
Austria.....	Schillings.....	1,338	56.00					1,338	96.00
Switzerland.....	Franc.....	517	300.00					517	300.00
Netherlands.....	Guilders.....	329	160.00					329	160.00
Norway.....	Kroner.....	1,301.35	252.00	450	87.05			1,751.35	339.05
Sweden.....	Kroner.....	746.9	168.00					746.9	168.00
Switzerland.....	Franc.....	520.2	300.00					520.2	300.00
United States.....	Dollar.....				575.00				575.00
Alfred Friendly, Jr.: United Kingdom.....	Pound.....	131.4	265.00					131.4	265.00
Federal Republic of Germany.....	Mark.....	481	252.00	62.80	32.88			523.8	284.88
Belgium.....	Franc.....	6,600	214.00					6,600	214.00
France.....	Franc.....	1,980	450.00					1,980	450.00
United States.....	Dollar.....				837.00				837.00
Clifford P. Hackett: France.....	Franc.....	1,109.4	258.00					1,109.40	258.00
Edward E. Kaufman: Federal Republic of Germany.....	Mark.....	320.88	168.00	62.80	32.88			383.68	200.88
United States.....	Dollar.....				1,227.00				1,227.00
Albert A. Lakeland, Jr.: Sudan.....	Pound.....	75.05	150.40					75.05	150.40
Morocco.....	Dirham.....	300	75.00					300.00	75.00
John B. Ritch: Norway.....	Kroner.....	1,084.44	210.00	555.13	107.55	113.28	22.00	1,752.85	339.05
United Kingdom.....	Pound.....	131.40	265.00					131.40	265.00
Federal Republic of Germany.....	Mark.....	420	220.00	104.80	54.88	19	10.00	543.80	284.88
France.....	Franc.....	1,672	380.00	264	60.00	44	10.00	1,980	450.00
Belgium.....	Franc.....	6,013.8	195.00	462.6	5.00	123.60	4.00	6,600	214.00
United States.....	Dollar.....				673.00				673.00
Patrick A. Shea: Sudan.....	Pound.....	103.295	207.00					103.295	207.00
Morocco.....	Dirham.....	300	75.00					300	75.00
Garry V. Wenske: People's Republic of China.....	Yuan.....	475.89	300.00					475.89	300.00
Hong Kong.....	Hong Kong dollar.....	382.50	75.00					382.50	75.00
Total.....			6,449.40		6,819.67		46.00		13,315.07

June 28, 1979.

FRANK CHURCH,
Chairman Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DURENBERGER:

S. 1470. A bill to limit oil imports; to the Committee on Energy and Natural Resources.

S. 1471. A bill to redesignate the Department of Commerce as the Department of Commerce and International Trade, to consolidate in such department various functions of the Government with respect to international trade, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DeCONCINI:

S. 1472. A bill to amend title 28 of the United States Code to provide for special venue provisions in cases relating to the environment; to the Committee on the Judiciary.

By Mr. METZENBAUM (for himself, Mr. WILLIAMS, Mr. RIEGLE, Mr. CRANSTON, Mr. PELL, Mr. JAVITS, Mr. RANDOLPH, Mr. DeCONCINI, Mr. LEVIN, Mr. KENNEDY, Mr. HART, and Mr. DURKIN):

S. 1473. A bill to amend the National Labor Relations Act to provide that the duty to bargain collectively includes bargaining with respect to retirements benefits for retired employees; to the Committee on Labor and Human Resources.

By Mr. INOUE:

S. 1474. A bill to establish a national merchant marine policy, to create a Cabinet level

coordinating Council to implement such policy, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BENTSEN:

S. 1475. A bill to amend the Internal Revenue Code of 1954 to provide tax incentives to encourage the creation and growth of new and innovative firms; to the Committee on Finance.

By Mr. CRANSTON:

S. 1473. A bill to prohibit certain territorial restrictions in professional sports, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. DeCONCINI):

S. 1477. A bill to provide for improvements in the structure and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. DURKIN (for himself, Mr. LEAHY, and Mr. STAFFORD):

S. 1478. A bill entitled the "Home Heating Oil Supply Protection Act of 1979"; to the Committee on Energy and Natural Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURENBERGER:

S. 1470. A bill to limit oil imports; to the Committee on Energy and Natural Resources.

MANDATORY OIL IMPORT CONTROL ACT OF 1979

Mr. DURENBERGER. Mr. President, I rise today, to introduce the Manda-

tory Oil Import Control Act of 1979. The events of the past 24 hours have further convinced me of the urgent need for such a drastic measure. Less than 2 weeks ago, the President agreed with the leaders of six other nations that we must limit our imports. And yet, yesterday, from his mount at Camp David the President announced he had received personal assurances from Saudi Arabia that they will increase its crude oil production "for a significant and specific period of time." I am deeply concerned that this indicates the President will grasp at this straw as a quick fix to our energy shortages. That we will be misled into believing our problems can be solved by importing more. This is precisely what we cannot and must not do.

The measures contained in this legislation are necessary to insure our national economy and the economies of our closest allies from ruinous energy inflation, and to put American energy policy in the hands of American policymakers once again.

The bill I am introducing takes the form of an import quota which will be used to restrict the amount of crude oil and petroleum products that can be brought into the United States each year. Import quotas are usually introduced to protect an American industry from low-priced foreign competition and

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, EXPENDED BETWEEN MAY 24 AND JUNE 5, 1979—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency ¹	Foreign currency	U.S. dollar equivalent or U.S. currency ¹	Foreign currency	U.S. dollar equivalent or U.S. currency ¹	Foreign currency	U.S. dollar equivalent or U.S. currency
William H. Jordan:									
Israel	Pound	5,698	227.92						227.92
Jordan	Dinar	20,255	66.44						66.44
Egypt	Pound	127,500	180.00						180.00
Saudi Arabia	Riyal	433	12.75						12.75
Italy	Lire	128,550	150.00						150.00
Airline ticket from Washington, D.C. to Rome, Italy, and return.					964.00				964.00
Delegation expenses:									
Italy	Lire			223,452	261.04			223,452	261.04
Israel	Pound			5,431	225.00	10,427	431.95	15,859	656.95
Total			2,158.53		3,378.04		431.95		5,878.52

¹ If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RECAPITULATION		Amount
Foreign currency (U.S. dollar equivalent)		\$5,878.52
Total		5,878.52

July 2, 1979.

WARREN G. MAGNUSON,
Chairman, Committee on Appropriations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time, by unanimous consent, and referred as indicated:

By Mr. JEPSEN:

S. 1483. A bill to amend the Internal Revenue Code of 1954 to increase and index the amount which may be excluded from taxable gifts each calendar year; to the Committee on Finance.

By Mr. TOWER (for himself and Mr. BENTSEN):

S. 1484. A bill to amend the Clean Air Act with respect to the prevention and control of air pollution in border areas of the United States and countries contiguous to the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURENBERGER (for himself, Mr. BOREN, Mr. BOSCHWITZ, and Mr. HEINZ):

S. 1485. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to encourage competition in the health insurance industry, to encourage the provision of catastrophic health insurance by employers, and for other purposes; to the Committee on Finance.

By Mr. CHURCH (for himself, Mr. BOREN, Mr. HAYAKAWA, Mr. ROTH, Mr. DOMENICI, and Mr. ZORINSKY):

S. 1486. A bill to exempt family farms and nonhazardous small businesses from the Occupational Safety and Health Act of 1970; to the Committee on Labor and Human Resources.

By Mr. INOUE:

S. 1487. A bill for the relief of Alfredo M. Maglinao; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1488. A bill to amend the Internal Revenue Code of 1954 to provide for the partial exclusion of interest from gross income; to the Committee on Finance.

By Mr. CHURCH (for himself, Mr. GARN, Mr. HATCH, Mr. SIMPSON, Mr. WALLOP, and Mr. McCLEURE):

S. 1489. A bill to consent to the amended Bear River Compact between the States of Utah, Wyoming, and Idaho; to the Committee on the Judiciary.

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By Mr. WILLIAMS:

S. 1490. A bill to amend the Woodrow Wilson Memorial Act of 1968 with respect to the Hubert H. Humphrey Fellowship in Political and Social Thought at the Woodrow Wilson International Center for Scholars; to the Committee on Rules and Administration.

By Mr. DOLE (for himself and Mrs. KASSEBAUM):

S. 1491. A bill to designate the building known as the Federal Building, at 211 Main Street, in Scott City, Kans., as the "Henry D. Parkinson Federal Building"; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. DURENBERGER and Mr. PROXMIER):

S. 1492. A bill to save the Milwaukee Road's freight-carrying capacity; to the Committee on Commerce, Science, and Transportation.

By Mr. STEVENSON:

S. 1493. A bill to create the Department of Commerce, Trade and Technology, to consolidate in such department various functions of the Government with respect to commerce, international trade and technology, and for other purposes; to the Committee on Governmental Affairs.

By Mr. HELMS:

S. 1494. A bill to enable the United States to maintain American security and interests respecting the Panama Canal, for the duration of the Panama Canal Treaty of 1977; to the Committee on Armed Services.

By Mr. HATFIELD:

S. 1495. A bill to acquire certain lands so as to assure the preservation and protection of the Potomac River shoreline; to the Committee on Energy and Natural Resources.

By Mr. INOUE:

S. 1496. A bill to amend the Interstate Commerce Act to provide for more effective regulation of carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 1497. A bill to amend Title 49, United States Code, transportation to encourage motor carrier efficiency and to provide for more effective regulation of carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MATSUNAGA:

S. 1498. A bill to amend title II of the Social Security Act to provide an alternative retirement test for certain individuals re-

ceiving self-employment income substantially attributable to their activities in a preceding taxable year; to the Committee on Finance.

By Mr. ROTH:

S. 1499. A bill to promote and encourage the formation and utilization of export trade associations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENTSEN:

S. 1500. A bill to amend the Federal Rules of Criminal Procedure to provide certain sentencing requirements in any case in which a person commits a felony while admitted to bail; to the Committee on the Judiciary.

S. 1501. A bill to prohibit the pretrial release of any person charged with an act of aggravated terrorism; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself and Mr. BAUCUS):

S. 1502. A bill to implement the United Nations Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property; to the Committee on Finance.

By Mr. HEFLIN (for himself, Mr. STEWART, Mr. GOLDWATER, Mr. GLENN, Mr. TOWER, Mr. HEINZ, Mr. CHILES, and Mr. DECONCINI):

S.J. Res. 95. A joint resolution to authorize the Commissioner of Education to make a grant for the purpose of constructing a building at Tuskegee Institute in memory of General Daniel "Chapple" James, Junior, and for other purposes; to the Committee on Labor and Human Resources.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JEPSEN:

S. 1483. A bill to amend the Internal Revenue Code of 1954 to increase and index the amount which may be excluded from taxable gifts each calendar year; to the Committee on Finance.

THE GIFT TAX EXCLUSION SHOULD BE INCREASED

● Mr. JEPSEN. Mr. President, today I am introducing legislation which will increase the gift tax exclusion from \$3,000 per year to \$12,000 and index it to the rate of inflation thereafter.

proposed legislation to establish a Solar Energy Development Bank to help make available below-market interest rate loans for the purchase and installation of solar energy equipment in commercial and residential buildings in the United States, and for other purposes (H. Doc. No. 96-170); to the Committee on Banking, Finance and Urban Affairs and ordered to be printed.

2130. A letter from the first vice president and vice chairman, Export-Import Bank of the United States, transmitting a statement describing a proposed transaction with ALIA-The Royal Jordanian Airline Corporation exceeding \$60 million, pursuant to section 2(b)(3)(1) of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking, Finance and Urban Affairs.

2131. A letter from the Acting Chairman, Council on Environmental Quality, Executive Office of the President, transmitting a copy of the recent Supreme Court decision in *Andrus v. Sierra Club*, supporting the Council's regulations interpreting the National Environmental Policy Act; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ZEPHERETTI: Committee on Rules. House Resolution 390. Resolution providing for sending H.R. 111 to conference. A bill to enable the United States to maintain American security and interests respecting the Panama Canal, for the duration of the Panama Canal Treaty of 1977 (Rept. No. 96-392). Referred to the House Calendar.

Mr. FOLEY: Committee on Agriculture. H.R. 998. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt State prison farms from paying of marketing quota penalties; with amendment (Rept. 96-393). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOLEY: Committee of conference. Conference report on H.R. 4057 (Rept. No. 96-394). Ordered to be printed.

Mr. SOLARZ: Committee of conference. Conference report on S. 1019 (Rept. No. 96-395). Ordered to be printed.

Mr. REUSS: Committee on Banking, Finance and Urban Affairs. Second Report on Monetary Policy for 1979 (Rept. No. 96-396). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee of conference. Conference report on H.R. 3324 (Rept. No. 96-397). Ordered to be printed.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 4955. A bill to authorize an additional appropriation of \$207,290,000 for the fiscal year 1980 and \$203,610,000 for the fiscal year 1981 for migration and refugee assistance (Rept. No. 96-398). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. UDALL (for himself, Mr. CARR, Mr. CLAUSEN, Mr. LUVAN, Mr. BINGHAM, Mr. ECKHARDT, Mr. SANTINI, Mr. MILLER of California, Mr. FLORIO, Mr. SHARP, Mr. KOSTMAYER, Mr. CORRADA, Mr. MURPHY of Pennsylvania, Mr. VENTO, Mr. HUCKABY, Mr. GUDGER, Mr. HOWARD, Mr. PATTERSON, Mr. SEBELIUS, Mr. YOUNG of Alaska, Mr. SYMMS, Mr. JOHNSON of

Colorado, Mr. LAGOMARSINO, Mr. MARRIOTT, Mr. MARLENEE, Mr. EDWARDS of Oklahoma, Mr. CHENEY, Mr. PASHAYAN, Mr. WHITTAKER, Mr. BERREUTER, and Mr. EVANS of the Virgin Islands);

H.R. 4985. A bill to establish a coordinated, prompt, and simplified process for decisionmaking in regard to significant non-nuclear energy facilities, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Interstate and Foreign Commerce.

By Mr. ST GERMAIN (for himself, Mr. WYLIE, Mr. REUSS, Mr. STANTON, Mr. MOORHEAD of Pennsylvania, Mr. GONZALEZ, Mr. MINISH, Mr. HANLEY, Mr. MITCHELL of Maryland, Mr. FAUNTROY, Mr. PATTERSON, Mr. BLANCHARD, Mr. LAFALCE, Mrs. SPELLMAN, Mr. EVANS of Indiana, Mr. D'AMOURS, Mr. LUNDINE, Mr. CAVANAUGH, Ms. OAKAR, Mr. VENTO, Mr. BARNARD, Mr. WATKINS, Mr. GARCIA, Mr. LOWRY, Mr. MCKINNEY, Mr. HANSEN, Mr. LEACH of Iowa, Mr. EVANS of Delaware, Mr. GREEN, Mr. PAUL, Mr. CAMPBELL, Mr. RITTER, Mr. HINSON, Mr. ROUSSELOT, Mr. BEARD of Rhode Island, and Mrs. FENWICK);

H.R. 4986. A bill to amend the Federal Reserve Act to authorize the automatic transfer of funds, to authorize negotiable order of withdrawal accounts at depository institutions, to authorize federally chartered savings and loan associations to establish savemote service units, and to authorize federally insured credit unions to receive share draft deposits, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ASHLEY (by request) (for himself, Mr. REUSS, Mr. MOORHEAD of Pennsylvania, Mr. ST GERMAIN, Mr. HANLEY, Mr. FAUNTROY, Mr. PATTERSON, Mr. AUCOIN, Mrs. SPELLMAN, Mr. BLANCHARD, Mr. LUNDINE, Ms. OAKAR, Mr. VENTO, Mr. GARCIA, Mr. MCKINNEY, and Mr. GREEN);

H.R. 4987. A bill to establish a Solar Energy Development Bank to help make available below-market interest rate loans for the purchase and installation of solar energy equipment in commercial and residential buildings in the United States, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ROBERT W. DANIEL, JR. (for himself and Mr. WHITEHURST):

H.R. 4988. A bill to amend the Internal Revenue Code of 1954 with respect to interest on certain governmental obligations the proceeds of which are to be used to provide solid waste disposal facilities; to the Committee on Ways and Means.

By Mr. ERDAHL:

H.R. 4989. A bill to amend the Mine Safety and Health Act by clarifying certain definitions; to the Committee on Education and Labor.

By Mr. GEPHARDT (for himself, Mr. DODD, Mr. DOWNEY, Mr. GLICKMAN, Mr. HEPTTEL, Mr. HOLLAND, Mr. JENKINS, Mr. MATTOX, Mr. MINETA, Mr. OBEY, and Mr. WIRTH):

H.R. 4990. A bill to amend the Internal Revenue Code of 1954 to provide an income tax credit for Social Security taxes paid in 1980 and 1981; to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 4991. A bill to provide for the recomputation of the annuities of certain individuals retiring under the Policemen and Firemen's Retirement and Disability Act of the District of Columbia as a result of a disability, and of the annuities of the survivors of such individuals; to the Committee on the District of Columbia.

By Mr. GRASSLEY (for himself and Mr. SMITH of Iowa):

H.R. 4992. A bill to provide family farmers and others with timely information concerning export sales of certain agricultural commodities; to the Committee on Agriculture.

By Mr. HANSEN (for himself and Mr. SYMMS):

H.R. 4993. A bill to amend the Public Rangelands Improvement Act of 1978, to prevent the loss of economic grazing units, to prevent increased unemployment and food inflation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JENRETTE:

H.R. 4994. A bill to amend the Safe Drinking Water Act to provide Federal financial assistance to public water systems required to remove naturally occurring fluoride from drinking water; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Louisiana:

H.R. 4995. A bill to reorganize various international trade functions of the Government, and for other purposes; to the Committee on Government Operations.

By Mr. MARRIOTT:

H.R. 4996. A bill to restore the Shilwits, Kanosh, Koosharem, and Indian Peaks Bands of Palute Indians of Utah as a federally recognized sovereign Indian Tribe, to restore to the Cedar City, Shilwits, Kanosh, Koosharem, and Indian Peaks Bands of Palute Indians of Utah and its members those Federal services and benefits furnished to federally recognized American Indian tribes and their members, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MITCHELL of Maryland (for himself, Mr. NEAL, Mr. D'AMOURS, Mr. BARNARD, Mr. MATTOX, Mr. CAVANAUGH, Mr. HANSEN, and Mr. PAUL):

H.R. 4997. A bill to amend the Federal Reserve Act respecting the positions of chairman and vice chairman of the Federal Reserve Board; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MITCHELL of Maryland (for himself, Mr. D'AMOURS, Mr. BARNARD, Mr. MATTOX, and Mr. CAVANAUGH):

H.R. 4998. A bill to amend the Federal Reserve Act to require that detailed minutes of Federal Open Market Committee meetings shall be published on a deferred basis; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PETRI:

H.R. 4999. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of malhousers for purposes of the investment tax credit; to the Committee on Ways and Means.

By Mr. PURSELL:

H.R. 5000. A bill to amend title 39, United States Code, relating to nonprofit service clubs qualifying for third-class nonprofit rates of postage; to the Committee on Post Office and Civil Service.

By Mr. QUILLEN:

H.R. 5001. A bill to amend the tax laws of the United States to encourage the preservation of independent local newspapers; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 5002. A bill to establish a Commission on a North American Economic Alliance; jointly, to the Committees on Foreign Affairs, and Ways and Means.

By Mr. RUNNELS (by request):

H.R. 5003. A bill to declare that title to certain lands in the State of New Mexico are held in trust by the United States for the Ramah Band of the Navajo Tribe; to the Committee on Interior and Insular Affairs.

By Mr. STOKES (for himself, Mr. BEVILL, Mr. BUCHANAN, Mr. CLAY, Mr. CONYERS, Mr. DELLUMS, Mr. DICKINSON, Mr. DIGGS, Mr. DIXON,

the computation of incomes of households containing a member who is 60 years of age or over or who receives supplemental security income benefits under title XVI of the Social Security Act or disability payments under title II of the Social Security Act; to the Committee on Agriculture.

By Mr. SHUMWAY:

H.R. 5058. A bill to amend the Walsh-Healey Act and the Contract Work Hours Standards Act to permit certain employees to work a 10-hour day in the case of a 4-day workweek, and for other purposes; jointly, to the Committees on Education and Labor and the Judiciary.

By Mr. SNYDER:

H.R. 5059. A bill to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of debt which may be incurred by the Tennessee Valley Authority, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. JONES of Oklahoma (for himself, Mr. FRENZEL, Mr. GIBBONS, Mr. CONABLE, Mr. ARCHER, Mr. GEPHARDT, Mr. ROUSSELOT, Mr. MOORE, and Mr. AU COIN):

H.R. 5060. A bill to amend the Internal Revenue Code of 1954 to permit the use of restricted stock options and to eliminate the exercise of restricted stock options as an item of tax preference; to the Committee on Ways and Means.

By Mr. BINGHAM (for himself and Mr. LAGOMARSINO):

H.R. 5061. A bill to establish within the Department of Commerce an office to promote and encourage the formation and utilization of export trade associations, and for other purposes; jointly, to the Committees on the Judiciary and Foreign Affairs.

By Mr. OTTINGER:

H.R. 5062. A bill to declare a national policy goal of national population stabilization, and to establish an Office of Population Policy; to the Committee on Government Operations.

By Mr. OBERSTAR (for himself, Mr. BIAGGI, Mr. BOLLING, Mr. DICKS, Mr. DORNAN, Mr. EVANS of the Virgin Islands, Mr. FAZIO, Mr. FLOOD, Mr. FORSYTHE, Mr. GILMAN, Mr. GINN, Mr. GUARINI, Mrs. HECKLER, Mr. HUGHES, Mr. HUTTO, Mr. JENKINS, Mr. JEFFORDS, Mr. JOHNSON of California, Mr. LONG of Louisiana, Mr. McDADE, Mr. MURPHY of Pennsylvania, Mr. MURPHY of New York, Mr. PANETTA, Mr. PEPPER, Mr. STACK, Mr. SIMON, Ms. SNOWE, Mr. TREEN, Mr. ULLMAN, Mr. VENTO, Mr. WEAVER, and Mr. ZEFERETTI):

H.J. Res. 387. Joint resolution designating May 13 through May 19, 1980, as "National Fishing Week"; to the Committee on Post Office and Civil Service.

By Ms. MIKULSKI:

H. Con. Res. 170. Concurrent resolution to express the sense of the Congress that the U.S. Postal Service should issue a postage stamp to honor Dr. Marie Zakrzewska; to the Committee on Post Office and Civil Service.

By Mr. OTTINGER:

H. Con. Res. 171. Concurrent resolution expressing the sense of the Congress that the United States should recognize Jerusalem as the capital of Israel, and that the U.S. Embassy in Israel should be relocated to Jerusalem; to the Committee on Foreign Affairs.

By Mr. WON PAT:

H. Con. Res. 172. Concurrent resolution relating to Self-Determination for the People of Guam; to the Committee on Interior and Insular Affairs.

By Mr. MOORHEAD of Pennsylvania:

H. Res. 396. Resolution approving the printing of additional copies of the report accompanying the Defense Production Act

Amendment and Extension; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

274. By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, relative to regulation of the hide industry; to the Committee on Foreign Affairs.

275. Also, memorial of the Assembly of the State of California, relative to the Voting Rights Act of 1965; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELLUMS:

H.R. 5063. A bill for the relief of James R. Thornwell; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 5064. A bill for the relief of the Camel Manufacturing Co.; to the Committee on the Judiciary.

By Mr. LEDERER:

H.R. 5065. A bill for the relief of the Chinese Cultural and Community Center of Philadelphia, Pa.; to the Committee on Ways and Means.

By Mr. NELSON:

H.R. 5066. A bill for the relief of Space Systems Laboratories, Inc., of Melbourne, Fla.; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 5067. A bill for the relief of Dr. Toomas Elsler and Carmen Elizabeth Elsler; to the Committee on the Judiciary.

By Mrs. SMITH of Nebraska:

H.R. 5068. A bill for the relief of Dr. Samuel K. K. Chung and Margarita Chung; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 70: Mr. ANNUNZIO, Mr. BEARD of Rhode Island, Mr. BONIOR of Michigan, Mr. CHAPPELL, Mr. CLAY, Mr. D'AMOURS, Mr. DANIELSON, Mr. DERWINSKI, Mr. DOUGHERTY, Mr. ERDAHL, Mrs. FENWICK, Mr. FOWLER, Mr. GRAY, Mr. GUARINI, Mr. HARRIS, Mr. HINSON, Mr. LEHMAN, Mr. LELAND, Mr. LLOYD, Mr. McKINNEY, Mr. MARKEY, Mr. MICA, Mr. MINETA, Mr. MITCHELL of Maryland, Mr. MURPHY of New York, Mr. MURTHA, Mr. RITTER, Mr. ROE, Mr. RUSSO, Mr. ST GERMAIN, Mr. STACK, Mr. STEWART, Mr. VAN DEERLIN, Mr. WAMPLER, Mr. WEAVER, Mr. WHITEHURST, Mr. WILLIAMS of Montana, Mr. CHARLES H. WILSON of California, Mr. WIRTH, and Mr. WOLFF.

H.R. 458: Mr. BEVILL.

H.R. 601: Mr. COURTER.

H.R. 621: Mr. PRITCHARD, Mr. WON PAT, Mr. MURPHY of Pennsylvania, Mr. CONTE, Mr. GLICKMAN, Mrs. SPELLMAN, Mr. CLEVELAND, Mr. BOLAND, Mr. RICHMOND, Mr. MITCHELL of Maryland, Mr. EDWARDS of Oklahoma, Mr. LEDERER, Mr. DORNAN, Mr. GRASSLEY, and Mr. KEMP.

H.R. 800: Mr. GRAMM.

H.R. 811: Mr. ROBERT W. DANIEL, JR. and Mr. HUGHES.

H.R. 1000: Mr. LEWIS.

H.R. 1913: Mr. GREEN, Mr. GOLDWATER, Mr. YOUNG of Missouri, Mr. PRICE, Mr. BOWEN, and Mr. HUBBARD.

H.R. 2196: Mr. QUILLEN and Mr. MOAKLEY.
H.R. 2472: Mr. NOLAN.
H.R. 2679: Mr. COURTER.
H.R. 2770: Mr. QUILLEN and Mr. ROYER.
H.R. 3221: Mr. KILDEE and Mr. BLANCHARD.
H.R. 3612: Mr. COELHO.
H.R. 3718: Mr. LUNGREN.

H.R. 3720: Mr. COURTER, Mr. RITTER, and Mr. LAGOMARSINO.

H.R. 3896: Mr. MILLER of Ohio.

H.R. 3937: Mr. FAZIO.

H.R. 3986: Mr. BAILEY, Mr. BLANCHARD, Mr. BONIOR of Michigan, Mr. BRODHEAD, Mrs. CHISHOLM, Mr. DOUGHERTY, Mr. DOWNEY, Ms. FERRARO, Mr. FLOOD, Mr. GRAY, Ms. HOLTZMAN, Mr. LEDERER, Mr. LELAND, Mr. McHUGH, Ms. MIKULSKI, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of Pennsylvania, Ms. OAKAR, Mr. PREYER, Mr. SIMON, Mr. STOKES, Mr. WAXMAN, Mr. WEISS, Mr. CHARLES WILSON of Texas, Mr. WINN, and Mr. WOLFF.

H.R. 3991: Mr. COLLINS of Texas, Mr. FRENZEL, Mr. GOODLING, Mr. GRASSLEY, Mr. HOLLENBECK, Mr. LENT, Mr. STANTON, Mr. WOLPE, Mr. FISH, and Mr. GLICKMAN.

H.R. 3992: Mr. PATTERSON.

H.R. 4161: Mr. BEDELL and Mr. JENKINS.

H.R. 4291: Mr. STANGELAND, Mr. COLLINS of Texas, Mr. HALL of Texas, Mr. PAUL, Mr. HUTTO, Mr. ROBINSON, Mr. DORNAN, Mr. McCLORY, Mr. STRATTON, and Mr. LOTT.

H.R. 4400: Mr. BROWN of Ohio, Mr. COURTER, and Mr. JENNETTE.

H.R. 4511: Mr. DOUGHERTY, Mr. ERTTEL, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. GILMAN, Mr. MARTIN, Mr. MATSUI, Mr. PATTERSON, and Mr. THOMPSON.

H.R. 4561: Mr. KOGOVSEK and Mr. HAGEDORN.

H.R. 4567: Mr. SENSENBRENNER and Mr. BUTLER.

H.R. 4624: Mr. RICHMOND.

H.R. 4631: Mr. ROYER and Mr. LAGOMARSINO.

H.R. 4693: Mr. WHITEHURST, Mr. PHILIP M. CRANE, Mr. COLLINS of Texas, Mr. DERWINSKI, Mr. BADHAM, and Mr. CLEVELAND.

H.R. 4797: Mr. ROUSSELOT, Mr. ROBERT W. DANIEL, JR., Mr. WHITEHURST, Mr. SHUMWAY, Mr. ICHORD, Mr. STOCKMAN, Mr. WHITTAKER, Mr. BURGNER, Mr. McDONALD, Mr. BAUMAN, and Mr. KRAMER.

H.R. 4818: Mr. MARRIOTT, Mr. DERWINSKI, Mr. WHITEHURST, Mr. FLOOD, Mr. COURTER, Mr. HINSON, and Mr. ROUSSELOT.

H.R. 4843: Mr. MOTT, Mr. WINN, and Mr. WEISS.

H.R. 4872: Mr. AU COIN, Mr. THOMPSON, Mr. WAXMAN, Mr. EDGAR, Mr. MAGUIRE, Ms. HOLTZMAN, and Mr. CARR.

H.R. 4897: Mr. HARKIN.

H.R. 4986: Mr. ASPIN, Mr. PHILLIP BURTON, Mr. HAWKINS, Mr. ZEFERETTI, Mr. HOWARD, Mr. HARRIS, Mr. DICKS, Mr. HOLLENBECK, Mr. MOAKLEY, Mr. SCHEUER, Mr. FOWLER, Mr. MOTT, Mr. APPELEGATE, Mr. STEED, Mr. COTTER, Mr. STUMP, Mr. BOB WILSON, Mr. ABDNOR, Mr. ROYBAL, Ms. FERRARO, Mr. PEYSER, Mr. FINDLEY, Mr. GILMAN, Mr. McEWEN, Mr. DOUGHERTY, Mr. CLINGER, Mr. DRINAN, Mr. MARKEY, Mr. WYATT, Mr. McHUGH, Mr. FISH, Mr. MARRIOTT, Mr. ADDABBO, Mr. HORTON, Mr. BINGHAM, Mr. DOWNEY, Mr. FROST, Mr. LELAND, Mr. BROWN of California, Mrs. CHISHOLM, Mr. ZABLOCKI, Mr. WOLFF, Mr. ANDREWS of North Dakota, Ms. HOLTZMAN, Mr. McCLOSKEY, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. HILLIS, Mr. LEDERER, Mr. VANIK, Mr. LENT, Mr. JONES of Oklahoma, Mr. CLAY, Mr. MURPHY of New York, Mr. BAUMAN, Mr. DEVINE, Mr. CARNEY, Mr. SYNAR, Mr. MITCHELL of New York, Mr. TAUKE, Mr. STOCKMAN, Mr. SEIBERLING, Mr. PETRI, Mr. CORRADA, Mr. FUQUA, Mr. GAIAMO, Mr. VAN DEERLIN, Mrs. BYRON, Mr. CONABLE, Mr. JACOBS, Mr. DODD, Mr. BROOMFIELD, Mr. STUDDS, Mr. GINGRICH, Mr. DASCHLE, Mr.

amount of Indian lands within the boundary of such locality; to the Committee on Interior and Insular Affairs.

281. Also, memorial of the House of Representatives of the State of Washington, relative to the proposed Yakima River Basin water enhancement project; to the Committee on Interior and Insular Affairs.

282. Also, memorial of the Legislature of the territory of Guam, relative to the Omnibus territories bill of 1979; to the Committee on Interior and Insular Affairs.

283. Also, memorial of the Legislature of the territory of Guam, relative to proposed nuclear waste storage on Guam; to the Committee on Interior and Insular Affairs.

284. Also, memorial to the Senate of the Commonwealth of Massachusetts, relative to reform of psychotropic drug usage on the mentally retarded; to the Committee on Interstate and Foreign Commerce.

285. Also, memorial to the Senate of the Commonwealth of Massachusetts, relative to assuring adequate supplies of home heating oil to Massachusetts; to the Committee on Interstate and Foreign Commerce.

286. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to requiring the television broadcast industry to caption news programming and emergency announcements; to the Committee on Interstate and Foreign Commerce.

287. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a comprehensive heating oil allocation program; to the Committee on Interstate and Foreign Commerce.

288. Also, memorial of the Legislature of the State of Montana, relative to continuation of the rail service provided by the Milwaukee Road; to the Committee on Interstate and Foreign Commerce.

289. Also, memorial of the House of Representatives of the State of Washington, relative to continued use of the Olympia postmark; to the Committee on Post Office and Civil Service.

290. Also, memorial of the Legislature of the territory of Guam, relative to providing honorable discharges from the Armed Forces of the United States for members of the Guam Combat Patrol and the Guam Civilian Scouts; to the Committee on Veterans' Affairs.

291. Also, memorial of the Legislature of the State of California, relative to taxation of savings account interest; to the Committee on Ways and Means.

292. Also, memorial of the Legislature of the State of Texas, relative to Federal inheritance taxes; to the Committee on Ways and Means.

293. Also, memorial of the Legislature of the State of Montana, relative to the Pacific Northwest Electric Power Planning and Conservation Act; jointly, to the Committee on Interior and Insular Affairs and Interstate and Foreign Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 605: Mr. MURPHY of New York, Mr. WHITLEY, Mr. NELSON, Mr. MICA, Mr. PRITCHARD, and Mr. SABO.

H.R. 1071: Mr. PETRI.

H.R. 1102: Mr. RAILSBACK.

H.R. 1576: Mr. FRENZEL, Mr. HIGHTOWER, Mr. STENHOLM, Mr. SLACK, Mr. SPENCE, Mr. HANCE, and Mr. LEACH of Louisiana.

H.R. 1577: Mr. FRENZEL, Mr. HIGHTOWER, Mr. STENHOLM, Mr. SLACK, Mr. SPENCE, Mr. MARKEY, Mr. HANCE, and Mr. LEACH of Louisiana.

H.R. 1578: Mr. FRENZEL, Mr. HIGHTOWER, Mr. STENHOLM, Mr. SLACK, Mr. SPENCE, Mr. HANCE, Mr. LEACH, of Louisiana.

H.R. 1911: Mr. CORRADA, Mr. NEAL, Mr. MITCHELL of Maryland, Mr. DRINAN, Mr. ADDABBO, Mr. RICHMOND, Mr. RANGEL, Mr. GOODLING, Mr. GUDGER, Ms. FERRARO, Mr. HOLLENBECK, Mr. PEPPER, and Mr. STACK.

H.R. 1912: Mr. ADDABBO, Mr. ROSENTHAL, Mr. CONYERS, Mr. EDWARDS of California, Mr. DRINAN, Mr. EVANS of Georgia, Mr. VENTO, Mr. DOWNEY, Mr. LaFALCE, Mr. WEAVER, Mr. OTTINGER, Mr. WOLPE, Mr. HEFTEL, Mr. McHUGH, Mr. KILDEE, Mr. HUGHES, Mr. NEAL, Mr. DORNAN, Mr. DOUGHERTY, Mr. BONIOR of Michigan, Mr. SCHEUER, Mr. RICHMOND, Mr. ZEPERETTI, Mr. RANGEL, Mr. MITCHELL of Maryland, Mr. MARKEY, Mr. KEMP, Mr. GILMAN, Mr. NOLAN, and Mr. HARKIN.

H.R. 1971: Mr. ALBOSTA, Mr. BEDELL, Mr. DOWNEY, Mr. ETEL, Mr. FITTHIAN, Mr. GILMAN, Mr. HUGHES, Mr. ICHORD, Mr. MINETA, Mr. PANETTA, Mr. RICHMOND, and Mr. WEAVER.

H.R. 2272: Mr. HEFTEL.

H.R. 2411: Mr. EVANS of the Virgin Islands.

H.R. 2777: Mr. COUGHLIN and Mr. STOKES.

H.R. 3105: Mr. ROBINSON and Mr. CAMPBELL.

H.R. 3106: Mr. GRAMM.

H.R. 3251: Mr. BROWN of Ohio.

H.R. 3345: Mr. LELAND, Mrs. FENWICK, and Mr. SOLARZ.

H.R. 3567: Mr. LIVINGSTON, Mr. DONNELLY, Mr. EDWARDS of Oklahoma, Mr. CARTER, Mr. BEARD of Rhode Island, Mr. STUDDS, Mr. PRITCHARD, Mr. BURLISON, Mr. UDALL, Mr. CORRADA, Mr. SIMON, Mr. SATTERFIELD, Mr. OBERSTAR, Mrs. SNOWE, Mr. LUKE, Mr. LEWIS, and Mr. BROWN of Ohio.

H.R. 3584: Mr. HANCE.

H.R. 3676: Mr. TAUKE.

H.R. 3677: Mr. PICKLE.

H.R. 3697: Mr. BRODHEAD, Mr. ROSENTHAL, Mr. OBERSTAR, Mr. PRITCHARD, Mr. COTTER, Mr. MARKEY, Mr. ERDAHL, Ms. FERRARO, Mr. MITCHELL of New York, Mr. THOMPSON, Mr. YATRON, Mr. PATTEN, Mr. STOKES, Mr. DOUGHERTY, Mrs. SCHROEDER, Mr. MARKS, Mr. WIRTH, Mrs. SNOWE, Mr. KILDEE, Ms. MIKULSKI, and Mr. KEMP.

H.R. 3729: Mr. TAUKE.

H.R. 3852: Mr. EVANS of the Virgin Islands.

H.R. 4105: Mr. HAMILTON.

H.R. 4211: Mr. GUDGER.

H.R. 4309: Mr. LEDERER.

H.R. 4310: Mr. STACK, Mr. BONKER, Mr. BAUMAN, Mr. AKAKA, Mr. LENT, Mr. YOUNG of Alaska, Ms. MIKULSKI, Mr. BOWEN, Mr. BAFALIS, and Mr. BONIOR of Michigan.

H.R. 4313: Mr. ALBOSTA.

H.R. 4363: Mr. ROUSSELOT.

H.R. 4442: Mr. FISH.

H.R. 4504: Mr. PATTERSON, Mr. GRAY, Mr. GEPHARDT, Mr. GLICKMAN, and Mr. TAUKE.

H.R. 4526: Mr. WHITEHURST, Mr. MINETA, Mr. PEPPER, Mr. HUGHES, Mr. PANETTA, Mr. LaFALCE, Mr. FLOOD, Mr. BARNES, Mr. PREYER, Mr. ERDAHL, Mr. LAGOMARSINO, Mr. COELHO, Mr. BARNARD, Mr. VENTO, Mr. GUARINI, Mr. TAUKE, Mr. WIRTH, and Mr. GUDGER.

H.R. 4531: Mr. HOLLENBECK, Mr. RICHMOND, Mr. ADDABBO, Mr. LEHMAN, Mr. LEACH of Louisiana, Mr. HARKIN, Mr. CORMAN, and Mr. BEDELL.

H.R. 4567: Mr. MURPHY of Illinois.

H.R. 4648: Mr. D'AMOURS, Mr. DIXON, Ms. FERRARO, Mr. GEPHARDT, Mr. GRAY, and Mr. NOLAN.

H.R. 4656: Mr. ABDNOR, Mr. ARCHER, Mr. BAFALIS, Mr. BARNARD, Mr. BEARD of Tennessee, Mr. BETHUNE, Mr. BROYHILL, Mr. BUTLER, Mr. CAMPBELL, Mr. PHILIP M. CRANE, Mr. COLLINS of Texas, Mr. ROBERT W. DANIEL JR., Mr. DANNEMEYER, Mr. DICKINSON, Mr. HAMMERSCHMIDT, Mr. JEFFRIES, Mr. KRAMER, Mr. KELLY, Mr. LEATH of Texas, Mr. LOEFFLER, Mr. MARRIOTT, Mr. McDONALD, Mr. MONTGOMERY, Mr. QUILLEN, Mr. ROBINSON, Mr. ROUSSELOT, Mr. RUDD, Mr. SATTERFIELD, Mr. SEBELIUS, Mr. SPENCE, Mr. STUMP, Mr. SYMMS, Mr. TRIBLE, Mr. WHITEHURST, Mr. WHITTAKER, Mr. WINN, Mr. YOUNG of Florida, Mrs. HOLT, Mr. BUCHANAN, and Mr. HINSON.

H.R. 5050: Mr. CONTE and Mr. RINALDO.

H.J. Res. 275: Mr. SHELBY, Mr. GORE, Mr. RATCHFORD, Mr. MOORHEAD of Pennsylvania, Mr. BEREUTER, and Mr. BETHUNE.

H.J. Res. 336: Mr. ANTHONY, Mr. BAUMAN, Mr. BRINKLEY, Mr. BROWN of Ohio, Mrs. BYRON, Mr. FINDLEY, Mr. GILMAN, Mr. GREEN, Mr. GUARINI, Mr. GUDGER, Mr. HORTON, Mr. HOWARD, Mr. JENKINS, Mr. KOGOVSEK, Mr. LENT, Mr. LEWIS, Mr. LOWRY, Mr. MADIGAN, Mr. McCLOSKEY, Mr. MOORHEAD of Pennsylvania, Mr. NICHOLS, Mr. PEPPER, Mr. QUILLEN, Mr. RAILSBACK, Mr. ROE, Mr. SANTINI, Mr. SATTERFIELD, Mr. SAWYER, Mr. SIMON, Mr. SLACK, Mr. STAGGERS, Mr. STENHOLM, Mr. STOCKMAN, Mr. TAYLOR, Mr. WALGREN, Mr. WILLIAMS, of Ohio, Mr. CHARLES WILSON of Texas, Mr. YOUNG of Alaska, Mr. ZABLOCKI, Mr. STEED, Mr. BENNETT, Mr. BLANCHARD, Mr. BROYHILL, Mr. FOWLER, Mr. FUQUA, Mr. HEFNER, Mr. IRELAND, Mr. JONES of North Carolina, Mr. RITTER, Mr. ROSE, and Mr. YOUNG of Florida.

H.J. Res. 338: Mr. PATTEN and Mr. KASTENMEIER.

H. Con. Res. 121: Mr. STOKES.

H. Res. 302: Mr. ROE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4760: Mr. PAUL.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

184. By the SPEAKER: Petition of the mayor of Nea Smyrne, Greece, relative to Cyprus; to the Committee on Foreign Affairs.

185. Also, petition of the Western States Land Commissioners Association, Sacramento, Calif., relative to Western States land management and welfare; to the Committee on Interior and Insular Affairs.

186. Also, petition of Donald Orand, Stellacoom, Wash., relative to redress of grievances; to the Committee on the Judiciary.

187. Also, petition of John L. Quigley, Chelsea, Mass., relative to Federal grants for renovations of veterans' homes; to the Committee on Veterans' Affairs.

188. Also, petition of the First Michigan Congress on the Arts, Detroit, Mich., relative to Federal estate tax laws; to the Committee on Ways and Means.

189. Also, petition of the City Commission, Kilgore, Tex., relative to the proposed windfall profits tax bill; to the Committee on Ways and Means.

even higher. Individual tree removal costs vary considerably from city to city and by the size and location of the tree. The cost of removing one large, difficult-to-reach elm tree can easily exceed \$600. Assuming, then, an average removal cost of \$175 per tree, homeowners in Minnesota in 1978 spent approximately \$17.5 million for diseased tree removal.

Private corporations and foundations have joined local governments and homeowners to combat the destruction caused by shade tree diseases. First National Bank of Minneapolis has been among the leaders in this private effort. The bank has established education and referral programs to help homeowners quickly identify and remove diseased trees and save the healthy trees.

The effects of Dutch elm disease have been felt in every corner of our country. Illinois has already lost about 90 percent of its elms. The disease now is hitting hardest in Iowa, Wisconsin, Colorado, and California. Unless we encourage quick detection and removal, it is not unlikely to expect that every State will be ravaged in the not too distant future.

The damage from Dutch elm disease has already run into the hundreds of millions of dollars. Much of this cost has been borne by the private property owner. This bill will help provide the necessary incentive for these property owners to take quick action to remove diseased trees and save the healthy elms.

Saving the Nation's trees has become a community effort in many cities. The Federal Government must join that effort. Given the high cost and the requirement for prompt removal of diseased shade trees, it is imperative that these homeowners be afforded financial relief through an amendment to the Internal Revenue Code allowing such costs to be designated a casualty loss and deductible for Federal tax purposes.

Mr. President, this bill is needed because the Internal Revenue Service has ruled that in order to qualify for a loss deduction, the casualty must meet a "suddenness test." The U.S. Circuit Court of Appeals for the Sixth Circuit has held that the disease does not meet this test. The court stated that the disease itself is progressive and cannot be considered sudden or unexpected.

The fungus causing the disease is introduced into the tree by the elm bark beetle or through root grafts. Once introduced, the fungus responds by producing tylosis and gums, which together plug the vessels. This restricts the tree's water supply causing the tree to wilt and eventually die. The process may be completed within weeks or be spread over several months depending on the tree's individual susceptibility to the disease.

Shade tree diseases are causing a severe loss to the environment and create a personal hardship for many homeowners. Considering the destruction of these trees a casualty for the purposes of the Internal Revenue Service will encourage property owners to remove the diseased trees and replace them with new trees.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for purposes of section 165 of the Internal Revenue Code of 1954, any loss of property resulting from Dutch Elm disease shall be treated as a casualty loss.

SEC. 2. The provisions of the first section of the act shall apply to losses incurred in taxable years beginning after December 31, 1978.

ADDITIONAL COSPONSORS

S. 76

At the request of Mr. STONE, the Senator from Washington (Mr. MAGNUSON) was added as a cosponsor of S. 76, to amend the Social Security Act to authorize payment under medicare for certain services performed by chiropractors.

S. 725

At the request of Mr. STONE, the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 725, a bill to deny Members of Congress any increase in pay under any law passed, or plan or recommendation received during a Congress unless such increase is to take effect not earlier than the first day of the next Congress.

S. 1096

At the request of Mr. STEVENS, the Senator from Kansas (Mr. DOLE) was added as a cosponsor of S. 1096, a bill to amend title 39, United States Code, to provide for an extension of the provisions of section 3626(a) relating to reduced rates.

S. 1179

At the request of Mr. BAYH, the Senator from South Dakota (Mr. MCGOVERN), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Kentucky (Mr. FORD), and the Senator from Oklahoma (Mr. BOREN) were added as cosponsors of S. 1179, a bill to incorporate the Gold Star Wives of America.

S. 1656

At the request of Mr. KENNEDY, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of S. 1656, the National Fishery Development Act.

S. 1790

At the request of Mr. BAYH, the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1790, the Privacy Protection Act.

SENATE JOINT RESOLUTION 39

At the request of Mr. RANDOLPH, the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Joint Resolution 39, a joint resolution to establish the "National Employ the Older Worker Week."

SENATE JOINT RESOLUTION 50

At the request of Mr. STONE, the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of Senate Joint Resolution 50, a joint resolution proposing a constitutional amendment

on the effective date of increase in congressional salaries.

SENATE CONCURRENT RESOLUTION 38

At the request of Mr. HEINZ, the Senator from Kentucky (Mr. HUDDLESTON) was added as a cosponsor of Senate Concurrent Resolution 38, relating to export credits in the steel industry.

SENATE RESOLUTION 244—ORIGINAL RESOLUTION REPORTED WAIVING CONGRESSIONAL BUDGET ACT

Mr. JACKSON, from the Committee on Energy and Natural Resources, reported the following original resolution, which was referred to the Committee on the Budget:

S. RES. 244

Resolved, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to the consideration of S. 1308. Such waiver is necessary because S. 1308, the Priority Energy Project Act of 1979 authorizes appropriations for fiscal year 1980 for the Energy Mobilization Board which would be established by S. 1308.

SENATE RESOLUTION 245—SUBMISSION OF A RESOLUTION TO DISAGREE TO REORGANIZATION PLAN NO. 3 OF 1979

Mr. RIBICOFF (by request) submitted the following resolution, which was referred to the Committee on Governmental Affairs:

S. RES. 245

Resolved, That the Senate does not favor the reorganization plan numbered 3 transmitted to the Congress by the President on September 25, 1979.

● Mr. RIBICOFF. Mr. President, I ask unanimous consent that the message from the President accompanying the submission of Reorganization Plan No. 3, along with the text of Reorganization Plan No. 3 of 1979, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 3 of 1979, to consolidate trade functions of the United States Government. I am acting under the authority vested in me by the Reorganization Act of 1977, chapter 9 of title 5 of the United States Code, and pursuant to section 1109 of the Trade Agreements Act of 1979, which directs that I transmit to the Congress a proposal to restructure the international trade functions of the Executive branch.

The goal of this reorganization is to improve the capacity of the Government to strengthen the export performance of United States industry and to assure fair international trade practices, taking into account the interests of all elements of our economy.

Recent developments, which have raised concern about the vitality of our international trade performance, have focused much attention on the way our trade machinery is organized. These developments include our negative trade balance, increasing dependence upon foreign oil, and international pressures on the dollar. New challenges, such as implementation of the Multilateral Trade Negotiation (MTN) agreements and trade

with non-market economies, will further test our Government trade organization.

We must be prepared to apply domestically the MTN codes on procurement, subsidies, standards, and customs valuation. We also must monitor major implementation measures abroad, reporting back to American business on important developments and, where necessary, raising questions internationally about foreign implementation. MTN will work—will open new markets for U.S. labor, farmers, and business—only if we have adequate procedures for aggressively monitoring and enforcing it. We intend to meet our obligations, and we expect others to do the same.

The trade machinery we now have cannot do this job effectively. Although the Special Trade Representative (STR) takes the lead role in administering the trade agreements program, many issues are handled elsewhere and no agency has across-the-board leadership in trade. Aside from the Trade Representative and the Export-Import Bank, trade is not the primary concern of any Executive branch agency where trade functions are located. The current arrangements lack a central authority capable of planning a coherent trade strategy and assuring its vigorous implementation.

This reorganization is designed to correct such deficiencies and to prepare us for strong enforcement of the MTN codes. It aims to improve our export promotion activities so that United States exporters can take full advantage of trade opportunities in foreign markets. It provides for the timely and efficient administration of our unfair trade laws. It also establishes an efficient mechanism for shaping an effective, comprehensive United States trade policy.

To achieve these objectives, I propose to place policy coordination and negotiation—those international trade functions that most require comprehensiveness, influence, and Government-wide perspective—in the Executive Office of the President. I propose to place operational and implementation responsibilities, which are staff-intensive, in line departments that have the requisite resources and knowledge of the major sectors of our economy to handle them. I have concluded that building our trade structure on STR and Commerce, respectively, best satisfies these considerations.

I propose to enhance STR, to be renamed the Office of the United States Trade Representative, by centralizing in it international trade policy development, coordination and negotiation functions. The Commerce Department will become the focus of non-agricultural operational trade responsibilities by adding to its existing duties those for commercial representation abroad, antidumping and countervailing duty cases, the non-agricultural aspects of MTN implementation, national security investigations, and embargoes.

THE UNITED STATES TRADE REPRESENTATIVE

The Trade Representative, with the advice of the Trade Policy Committee, will be responsible for developing and coordinating our international trade and direct investment policy, including the following areas:

Import remedies. The Trade Representative will exercise policy oversight of the application of import remedies, analyze long-term trends in import remedy cases and recommend any necessary legislative changes. For antidumping and countervailing duty matters, such coordination, to the extent legally permissible, will be directed toward the establishment of new precedents, negotiation of assurances, and coordination with other trade matters, rather than case-by-case fact finding and determinations.

East-West trade policy. The Trade Representative will have lead responsibility for East-West trade negotiations and will coordinate East-West trade policy. The Trade Policy Committee will assume the responsi-

bilities of the East-West Foreign Trade Board.

International investment policy. The Trade Representative will have the policy lead regarding issues of direct foreign investment in the United States, direct investment by Americans abroad, operations of multinational enterprises, and multilateral agreements on international investment, insofar as such issues relate to international trade.

International commodity policy. The Trade Representative will assume responsibility for commodity negotiations and also will coordinate commodity policy.

Energy trade. While the Departments of Energy and State will continue to share responsibility for international energy issues, the Trade Representative will coordinate energy trade matters. The Department of Energy will become a member of the TRC.

Export-expansion policy. To ensure a vigorous and coordinated Government-wide export expansion effort, policy oversight of our export expansion activities will be the responsibility of the Trade Representative.

The Trade Representative will have the lead role in bilateral and multilateral trade, commodity, and direct investment negotiations. The Trade Representative will represent the United States in General Agreement on Tariffs and Trade (GATT) matters. Since the GATT will be the principal international forum for implementing and interpreting the MTN agreements and since GATT meetings, including committee and working group meetings, occur almost continuously, the Trade Representative will have a limited number of permanent staff in Geneva. In some cases, it may be necessary to assign a small number of USTR staff abroad to assist in oversight of MTN enforcement. In this event, appropriate positions will be authorized. In recognition of the responsibility of the Secretary of State regarding our foreign policy, the activities of overseas personnel of the Trade Representative and the Commerce Department will be fully coordinated with other elements of our diplomatic missions.

In addition to his role with regard to GATT matters, the Trade Representative will have the lead responsibility for trade and commodity matters considered in the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD) when such matters are the primary issues under negotiation. Because of the Secretary of State's foreign policy responsibilities, and the responsibilities of the Director of the International Development Cooperation Agency as the President's principal advisor on development, the Trade Representative will exercise his OECD and UNCTAD responsibilities in close cooperation with these officials.

To ensure that all trade negotiations are handled consistently and that our negotiating leverage is employed to the maximum, the Trade Representative will manage the negotiation of particular issues. Where appropriate, the Trade Representative may delegate responsibility for negotiations to other agencies with expertise on the issues under consideration. He will coordinate the operational aspects of negotiations through a Trade Negotiating Committee, chaired by the Trade Representative and including the Departments of Commerce, State, Treasury, Agriculture and Labor.

The Trade Representative will be concerned not only with ongoing negotiations and coordination of specific, immediate issues, but also—very importantly—with the development of long-term United States trade strategies and policies. He will oversee implementation of the MTN agreements, and will advise the President on the effects of other Government policies (e.g., antitrust, taxation) on U.S. trade. In order to partic-

ipate more fully in oversight of international investment and export financing activities, the Trade Representative will become a member of the National Advisory Council on International Monetary and Financial Policies and the Boards of the Export-Import Bank and the Overseas Private Investment Corporation.

In performing these functions, the Trade Representative will act as the principal trade spokesman of the President. To assure that our trade policies take into account the broadest range of perspectives, the Trade Representative will consult with the Trade Policy Committee, whose mandate and membership will be expanded. The Trade Representative will, as appropriate, invite agencies such as the Export-Import Bank and the Overseas Private Investment Corporation to participate in TPC meetings in addition to the permanent TPC members. When different departmental views on trade matters exist within the TPC as will be the case from time to time in this complex policy area, I will expect the Trade Representative to resolve policy disagreements in his best judgment, subject to appeal to the President.

THE DEPARTMENT OF COMMERCE

The Department of Commerce, under this proposal, will become the focal point of operational responsibilities in the non-agricultural trade area. My reorganization plan will transfer to the Commerce Department important responsibilities for administration of countervailing and antidumping matters, foreign commercial representation, and MTN implementation support. Consolidating these trade functions in the Department of Commerce builds upon an agency with extensive trade experience. The Department will retain its operational responsibilities in such areas as export controls, East-West trade, trade adjustment assistance to firms and communities, trade policy analysis, and monitoring foreign compliance with trade agreements. The Department will be substantially reorganized to consolidate and reshape its trade functions under an Under Secretary for International Trade.

With this reorganization, trade functions will be strengthened within the Department of Commerce, and such related efforts in the Department as improvement of industrial innovation and productivity, encouraging local and regional economic development, and sectoral analysis, will be closely linked to an aggressive trade program. Fostering the international competitiveness of American industry will become the principal mission of the Department of Commerce.

Import remedies

I propose to transfer to the Department of Commerce responsibility for administration of the countervailing duty and antidumping statutes. This function will be performed efficiently and effectively in an organizational setting where trade is the primary mission. This activity will be directed by a new Assistant Secretary for Trade Administration, subject to Senate confirmation. Although the plan permits its provisions to take effect as late as October 1, 1980, I intend to make this transfer effective by January 1, 1980, so that it will occur as the new MTN codes take effect. Commerce will continue its supportive role in the staffing of other unfair trade practice issues, such as cases arising under section 301 of the Trade Act of 1974.

Commercial representation

This reorganization plan will transfer to the Department of Commerce responsibility for commercial representation abroad. This transfer would place both domestic and overseas export promotion activities under a single organization, directed by an Assistant Secretary for Export Development, charged with aggressively expanding U.S. export opportunities. Placing this Foreign Commercial Service in the Commerce Department will

allow commercial officers to concentrate on the promotion of U.S. exports as their principal activity.

Initially, the transfer of commercial representation from State to Commerce will involve all full-time overseas trade promotion and commercial positions (approximately 162), responsibility for this function in the countries (approximately 60) to which these individuals are assigned, and the associated foreign national employees in those countries. Over time, the Department of Commerce undoubtedly will review the deployment of commercial officers in light of changing trade circumstances and propose extensions or alterations of coverage of the Foreign Commercial Service.

MTN implementation

I am dedicated to the aggressive implementation of the Multilateral Trade Agreements. The United States must seize the opportunities and enforce the obligations created by these agreements. Under this proposal, the Department of Commerce will assign high priority to this task. The Department of Commerce will be responsible for the day-to-day implementation of non-agricultural aspects of the MTN agreements. Management of this function will be a principal assignment of an Assistant Secretary for Trade Policy and Programs. Implementation activities will include:

Monitoring agreements and targeting problems for consultation and negotiation;

Operating a Trade Complaint Center where the private sector can receive advice as to the recourse and remedies available;

Aiding in the settlement of disputes, including staffing of formal complaint cases;

Identifying problem areas for consideration by the Trade Representative and the Trade Policy Committee;

Educational and promotion programs regarding the provisions of the agreements and the processes for dealing with problems that arise;

Providing American business with basic information on foreign laws, regulations and procedures;

Consultations with private sector advisory committees; and

General analytical support.

These responsibilities will be handled by a unit built around the staff from Commerce that provided essential analytical support to STR throughout the MTN negotiation process. Building implementation of MTN around this core group will assure that the government's institutional memory and expertise on MTN is most effectively devoted to the challenge ahead. When American business needs information or encounters problems in the MTN area, it can turn to the Department of Commerce for knowledgeable assistance.

Matching the increased importance of trade in the Department's mission will be a much strengthened trade organization within the Department. By creating a number of new senior level positions in the Department, we will ensure that trade policy implementation receives the kind of day-to-day top management attention that it both demands and requires.

With its new responsibilities and resources, the Department of Commerce will become a key participant in the formulation of our trade policies. Much of the analysis in support of trade policy formulation will be conducted by the Department of Commerce, which will be close to the operational aspects of the problems that raise policy issues.

To succeed in global competition, we must have a better understanding of the problems and prospects of U.S. industry, particularly in relation to the growing strength of industries abroad. This is the key reason why we will upgrade sectoral analysis capabilities

throughout the Department of Commerce, including the creation of a new Bureau of Industrial Analysis. Commerce, with its ability to link trade to policies affecting industry, is uniquely suited to serve as the principal technical expert within the Government on special industry sector problems requiring international consultation, as well as to provide industry-specific information on how tax, regulatory and other Government policies affect the international competitiveness of the U.S. industries.

Commerce will also expand its traditional trade policy focus on industrial issues to deal with the international trade and investment problems of our growing services sector. Under the proposal, there will be comprehensive service industry representation in our industry advisory process, as well as a continuing effort to bring services under international discipline. I expect the Commerce Department to play a major role in developing new service sector initiatives for consideration within the Government.

After an investigation lasting over a year, I have found that this reorganization is necessary to carry out the policy set forth in section 901(a) of title 5 of the United States Code. As described above, this reorganization will increase significantly our ability to implement the MTN agreements efficiently and effectively and will improve greatly the services of the government with regard to export development. These improvements will be achieved with no increase in personnel or expenditures, except for an annual expense of about \$300,000 for the salaries and clerical support of the three additional senior Commerce Department officials and a non-recurring expense of approximately \$600,000 in connection with the transfers of functions provided in the plan. I find that the reorganization made by this plan makes necessary the provisions for the appointment and pay of a Deputy Secretary, an Under Secretary for International Trade, and two additional Assistant Secretaries of the Department of Commerce, and additional members of the Boards of Directors of the Export-Import Bank and the Overseas Private Investment Corporation.

It is indeed appropriate that this proposal follows so soon after the overwhelming approval by the Congress of the Trade Agreements Act of 1979, for it will sharpen and unify trade policy direction, improve the efficiency of trade law enforcement, and enable us to negotiate abroad from a position of strength. The extensive discussions between Administration officials and the Congress on this plan have been a model of the kind of cooperation that can exist between the two branches. I look forward to our further cooperation in successfully implementing both this reorganization proposal and the MTN agreements.

JIMMY CARTER.

THE WHITE HOUSE, September 25, 1979.

REORGANIZATION PLAN NO. 3 OF 1979

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, September 25, 1979, pursuant to the provisions of chapter 9 of title 5 of the United States Code.

REORGANIZATION OF FUNCTIONS RELATING TO INTERNATIONAL TRADE

Section 1. Office of the United States Trade Representative.

(a) The Office of the Special Representative for Trade Negotiations is redesignated the Office of the United States Trade Representative.

(b)(1) The Special Representative for Trade Negotiations is redesignated the United States Trade Representative (hereinafter referred to as the "Trade Representative"). The Trade Representative shall have

primary responsibility, with the advice of the interagency organization established under section 242 of the Trade Expansion Act of 1962 (19 U.S.C. 1872 (hereinafter referred to as the "Committee")), for developing, and for coordinating the implementation of, United States international trade policy, including commodity matters and, to the extent they are related to international trade policy, direct investment matters. The Trade Representative shall serve as the principal advisor to the President on international trade policy and shall advise the President on the impact of other policies of the United States Government on international trade.

(2) The Trade Representative shall have lead responsibility for the conduct of international trade negotiations, including commodity and direct investment negotiations in which the United States participates.

(3) To the extent necessary to assure the coordination of international trade policy, and consistent with any other law, the Trade Representative, with the advice of the Committee shall issue policy guidance to departments and agencies on basic issues of policy and interpretation arising in the exercise of the following international trade functions. Such guidance shall determine the policy of the United States with respect to international trade issues arising in the exercise of such functions:

(A) matters concerning the General Agreement on Tariffs and Trade, including implementation of the trade agreements set forth in section 2(c) of the Trade Agreements Act of 1979; United States Government positions on trade and commodity matters dealt with by the Organization for Economic Cooperation and Development, the United Nations Conference on Trade and Development, and other multilateral organizations; and the assertion and protection of the rights of the United States under bilateral and multilateral international trade and commodity agreements;

(B) expansion of exports from the United States;

(C) policy research on international trade, commodity, and direct investment matters;

(D) to the extent permitted by law, overall United States policy with regard to unfair trade practices, including enforcement of countervailing duties and antidumping functions under section 303 and title VII of the Tariff Act of 1930;

(E) bilateral trade and commodity issues, including East-West trade matters; and

(F) international trade issues involving energy.

(4) All functions of the Trade Representative shall be conducted under the direction of the President.

(c) The Deputy Special Representatives for Trade Negotiations are redesignated Deputy United States Trade Representatives.

Section 2. Department of Commerce.

(a) The Secretary of Commerce (hereinafter referred to as the "Secretary") shall have, in addition to any other functions assigned by law, general operational responsibility for major nonagricultural international trade functions of the United States Government, including export development, commercial representation abroad, the administration of the antidumping and countervailing duty laws, export controls, trade adjustment assistance to firms and communities, research and analysis, and monitoring compliance with international trade agreements to which the United States is a party.

(b)(1) There shall be in the Department of Commerce (hereinafter referred to as the "Department") a Deputy Secretary appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary shall receive compensation at the rate payable for Level II of the Executive Schedule, and shall perform such duties and exer-

cise such powers as the Secretary may from time to time prescribe.

(2) The position of Under Secretary of Commerce established under section 1 of the Act of June 5, 1939 (ch. 180, 53 Stat. 808; 15 U.S.C. 1502) is abolished.

(c) There shall be in the Department an Under Secretary for International Trade appointed by the President, by and with the advice and consent of the Senate. The Under Secretary for International Trade shall receive compensation at the rate payable for Level III of the Executive Schedule, and shall perform such duties and exercise such powers as the Secretary may from time to time prescribe.

(d) There shall be in the Department two additional Assistant Secretaries appointed by the President, by and with the advice and consent of the Senate. Each such Assistant Secretary shall receive compensation at the rate payable for Level IV of the Executive Schedule, and shall perform such duties and exercise such powers as the Secretary may from time to time prescribe.

Section 3. Export-Import Bank of the United States.

The Trade Representative and the Secretary shall serve, ex officio and without vote, as additional members of the Board of Directors of the Export-Import Bank of the United States.

Section 4. Overseas Private Investment Corporation.

(a) The Trade Representative shall serve, ex officio, as an additional voting member of the Board of Directors of the Overseas Private Investment Corporation. The Trade Representative shall be the Vice Chair of such Board.

(b) There shall be an additional member of the Board of Directors of the Overseas Private Investment Corporation who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall not be an official or employee of the Government of the United States. Such Director shall be appointed for a term of no more than three years.

Section 5. Transfer of Functions.

(a) (1) There are transferred to the Secretary all functions of the Secretary of the Treasury, the General Counsel of the Department of the Treasury, or the Department of the Treasury pursuant to the following:

(A) section 305(b) of the Trade Agreements Act of 1979 (19 U.S.C. 2515(b)), to be exercised in consultation with the Secretary of the Treasury;

(B) section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862);

(C) section 303 and title VII (including section 771(1)) of the Tariff Act of 1930 (19 U.S.C. 1303, 1671 et seq.), except that the Customs Service of the Department of the Treasury shall accept such deposits, bonds, or other security as deemed appropriate by the Secretary, shall assess and collect such duties as may be directed by the Secretary, and shall furnish such of its important records or copies thereof as may be requested by the Secretary incident to the functions transferred by this subparagraph;

(D) sections 514, 515, and 516 of the Tariff Act of 1930 (19 U.S.C. 1514, 1515, and 1516) insofar as they relate to any protest, petition, or notice of desire to contest described in section 1002(b)(1) of the Trade Agreements Act of 1979;

(E) with respect to the functions transferred by subparagraph (C) of this paragraph, section 318 of the Tariff Act of 1930 (19 U.S.C. 1318), to be exercised in consultation with the Secretary of the Treasury;

(F) with respect to the functions transferred by subparagraph (C) of this paragraph, section 502(b) of the Tariff Act of 1930 (19 U.S.C. 1502(b)), and, insofar as it provides authority to issue regulations and disseminate information, to be exercised in consul-

tation with the Secretary of the Treasury to the extent that the Secretary of the Treasury has responsibility under subparagraph (C), section 502(a) of such Act (19 U.S.C. 1502(a));

(G) with respect to the functions transferred by subparagraph (C) of this paragraph, section 617 of the Tariff Act of 1930 (19 U.S.C. 1617); and

(H) section 2632(e) of title 28 of the United States Code, insofar as it relates to actions taken by the Secretary reviewable under section 516A of the Tariff Act of 1930 (19 U.S.C. 1516(a)).

(2) The Secretary shall consult with the Trade Representative regularly in exercising the functions transferred by subparagraph (C) of paragraph (1) of this subsection, and shall consult with the Trade Representative regarding any substantive regulation proposed to be issued to enforce such functions.

(b) (1) There are transferred to the Secretary all trade promotion and commercial functions of the Secretary of State or the Department of State that are—

(A) performed in full-time overseas trade promotion and commercial positions; or

(B) performed in such countries as the President may from time to time prescribe.

(2) To carry out the functions transferred by paragraph (1) of this subsection, the President, to the extent he deems it necessary, may authorize the Secretary to utilize Foreign Service personnel authorities and to exercise the functions vested in the Secretary of State by the Foreign Service Act of 1946 (22 U.S.C. 801 et seq.) and by any other laws with respect to personnel performing such functions.

(c) There are transferred to the President all functions of the East-West Foreign Trade Board under section 411(c) of the Trade Act of 1974 (19 U.S.C. 2441(c)).

(d) Appropriations available to the Department of State for Fiscal Year 1980 for representation of the United States concerning matters arising under the General Agreement on Tariffs and Trade and trade and commodity matters dealt with under the auspices of the United Nations Conference on Trade and Development are transferred to the Trade Representative.

(e) There are transferred to the interagency organization established under section 242 of the Trade Expansion Act of 1962 (19 U.S.C. 1872) all functions of the East-West Foreign Trade Board under section 411 (a) and (b) of the Trade Act of 1974 (19 U.S.C. 2441) (a) and (b)).

Section 6. Abolition.

The East-West Foreign Trade Board established under section 411 of the Trade Act of 1974 (19 U.S.C. 2441) is abolished.

Section 7. Responsibility of the Secretary of State.

Nothing in this reorganization plan is intended to derogate from the responsibility of the Secretary of State for advising the President on foreign policy matters, including the foreign policy aspects of international trade and trade-related matters.

Section 8. Incidental transfers; interim officers.

(a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred under this reorganization plan as the Director of the Office of Management and Budget shall determine shall be transferred to the appropriate agency organization, or component at such time or times as such Director shall provide, except that no such unexpended balances transferred shall be used for purposes other than those for which the appropriation originally was made. The Director of the Office of Management and Budget shall provide for terminating

the affairs of any agency abolished herein and for such further measures and dispositions as such Director deems necessary to effectuate the purposes of the reorganization plan.

(b) Pending the assumption of office by the initial officers provided for in section 2 of this reorganization plan, the functions of each such office may be performed, for up to a total of 60 days, by such individuals as the President may designate. Any individual so designated shall be compensated at the rate provided herein for such position.

Section 9. Effective date.

The provisions of this reorganization plan shall take effect October 1, 1980, or at such earlier time or times as the President shall specify, but not sooner than the earliest time allowable under section 906 of title 5 of the United States Code.●

SENATE CONCURRENT RESOLUTION 39—SUBMISSION OF A CONCURRENT RESOLUTION WELCOMING POPE JOHN PAUL II TO THE UNITED STATES

Mr. HEINZ submitted the following concurrent resolution, which was referred to the Committee on the Judiciary:

S. CON. RES. 39

Whereas His Holiness Pope John Paul II is the spiritual leader of 700 million Roman Catholics throughout the world, including 49.6 million in the United States; and

Whereas His Holiness Pope John Paul II is a world leader who has made significant contributions to world peace and understanding; and

Whereas from October 1 to October 7, 1979 His Holiness Pope John Paul II will visit several cities in the United States including Boston, New York, Philadelphia, Des Moines, Chicago, and Washington, D.C.: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States of America welcomes His Holiness Pope John Paul II to the United States and extends to him the good wishes of the American people on the occasion of his visit.

● Mr. HEINZ. Mr. President, I am submitting today a concurrent resolution welcoming His Holiness Pope John Paul II on his visit to the United States.

This concurrent resolution is being offered in the House of Representatives by the Honorable LAWRENCE COUGHLIN of Pennsylvania. The resolution recognizes His Holiness Pope John Paul II as the spiritual leader of the world's 700 million Catholics and as a preeminent world leader who has made significant contributions to world peace and understanding.

I ask my colleagues in both Houses of Congress to support this resolution to welcome and extend the good wishes of the American people to the Pope on the historic occasion of his visit.●

NOTICES OF HEARINGS

SUBCOMMITTEE ON THE CONSTITUTION

● Mr. BAYH. Mr. President, the Subcommittee on the Constitution of the Committee on the Judiciary will hold hearings on the proposed amendments to the Constitution to balance the Federal budget on October 4, 1979, at 9:30 a.m. in room 1202, Dirksen Senate Office Building, and October 11, 1979, at 9:30

By Mr. CHARLES WILSON of Texas:
H.R. 5415. A bill to provide that aliens employed in the United States shall not be entitled to vote in certain elections conducted among members of labor organizations unless such aliens have been naturalized as citizens of the United States; jointly, to the Committees on Education and Labor and Interstate and Foreign Commerce.

By Mr. YOUNG of Alaska (for himself, Mr. TREEN, Mr. BIAGGI, Mr. LENT, Mr. JEFFORDS, Mr. WHITEHURST, Mr. SYMMS, and Mr. LOTT):

H.R. 5416. A bill to promote the transfer of various fisheries technologies and techniques, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HANSEN (for himself and Mr. SYMMS):

H.R. 5417. A bill to exempt the Milner Dam from certain requirements of the Federal Power Act (16 U.S.C. 807), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PHILLIP BURTON:

H. Con. Res. 191. Concurrent resolution to authorize the Secretary of the Interior to provide for the commemoration of the efforts of Goodloe Byron to protect the Appalachian Trail; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS (by request):

H. Res. 428. Resolution to disapprove Reorganization Plan No. 3, transmitted by the President on September 25, 1979; to the Committee on Government Operations.

By Ms. FERRARO:

H. Res. 429. Resolution commending Pope John Paul II, and welcoming him to the United States; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H. Res. 430. Resolution to provide for the further expenses of investigations and studies to be conducted by the Committee on Merchant Marine and Fisheries; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MITCHELL of New York presented a bill (H.R. 5418) for the relief of Rev.

Anthony Petel, which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 810: Mr. LOTT.
H.R. 1000: Mr. PAUL.
H.R. 2279: Mr. HANSEN, Mr. CONTE, and Mr. SAWYER.

H.R. 2997: Mr. COLEMAN and Mr. SOLARZ.
H.R. 3614: Mr. COUGHLIN and Mr. ROSTENKOWSKI.

H.R. 3981: Mr. BRINKLEY.

H.R. 4646: Mr. AKAKA, Mr. ALEXANDER, Mr. APPELGATE, Mr. BEVILL, Mrs. BOUQUARD, Mr. BOWEN, Mr. BREAUX, Mr. DASCHLE, Mr. FLIPPO, Mr. FOWLER, Mr. GINN, Mr. GUARINI, Mr. HEFNER, Mr. HINSON, Mr. HOLLAND, Mr. LEDERER, Mr. LEHMAN, Mr. MAZZOLI, Mr. NELSON, Mr. NICHOLS, Mr. PEPPER, Mr. PRICE, Mr. RAHALL, Mr. SHUSTER, Mr. EMERY, Mr. JONES of Tennessee, Mr. ANTHONY, and Mr. KOCOVSEK.

H.R. 4943: Mr. HUGHES.

H.R. 4970: Mr. FITHIAN and Mr. FORD of Tennessee.

H.R. 5048: Mr. BUTLER, Mr. DAN DANIEL, Mr. FISHER, Mr. TRIBLE, Mr. WHITEHURST, Mr. PHILLIP BURTON, Mr. CARR, Mr. DOWNEY, Mr. GIBBONS, Mr. MAGUIRE, Mr. OTTINGER, Mr. REGULA, Mr. RODINO, Mr. SEIBERLING, Mr. SOLARZ, Mr. STARK, Mr. UDALL, Mr. WON PAT, Mrs. SPELLMAN, and Mr. EDWARDS of Oklahoma.

H.R. 5114: Mr. SHUMWAY, Mr. BADHAM, Mr. LENT, and Ms. FERRARO.

H.R. 5182: Mrs. BYRON, Mr. FISHER, and Mr. FAUNTROY.

H.R. 5308: Mr. CORCORAN, Mr. FINDLEY, Mr. SOLOMON, Mr. TAUKE, Mr. VOLKMER, Mrs. BOUQUARD, Mr. CLEVELAND, Mr. CHENEY, and Mr. NEAL.

H.R. 5330: Mr. LOTT and Mr. BURGNER.

H.J. Res. 68: Mr. AMBRO, Mr. ANNUNZIO, Mr. BRODHEAD, Mr. BURGNER, Mr. JOHN L. BURTON, Mr. CAMPBELL, Mr. DANIEL B. CRANE, Mr. DECKARD, Mr. ERLNBORN, Mr. ERTTEL, Mr.

EVANS of Indiana, Mr. FITHIAN, Mr. FOLEY, Mr. GARCIA, Mr. GILMAN, Mr. GOODLING, Mr. HAMILTON, Mr. LEWIS, Mr. LOEFFLER, Mr. LONG of Maryland, Mr. McHUGH, Mr. MAGUIRE, Mr. MICHEL, Mr. MOORE, Mr. MYERS of Indiana, Mr. PATTEN, Mr. PATTERSON, Mr. PAUL, Mr. PERKINS, Mr. QUAYLE, Mr. RAILSBACK, Mr. RINALDO, Mr. ROYBAL, Mr. ROYER, Mr. SATTERFIELD, Mr. SHARP, Mr. SHUSTER, Mr. STOCKMAN, Mr. STUMP, Mr. TREEN, Mr. VANDER JAGT, and Mr. WYDLER.

H.J. Res. 300: Mr. HYDE.

H. Con. Res. 83: Mr. ADDABBO, Mr. ASHBROOK, and Mr. LENT.

H. Con. Res. 134: Mr. DOUGHERTY.

H. Con. Res. 183: Mr. GLICKMAN and Mr. ROUSSELOT.

DELETION OF SPONSORS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1603: Mr. EDWARDS of Oklahoma.

H.R. 4360: Mr. HUGHES.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5359

By Mr. KRAMER:

—Page 62, after line 7, add the following new section:

SEC. 776. None of the funds appropriated by this Act may be used to reduce the personnel, support, or equipment levels at any United States naval installation or facility at Guantanamo Bay, Cuba, or to reduce any military functions which are primarily supported by such installation or facility.

By Mr. MILLER of California:

—Insert on page 62, after line 7, new section 776:

None of the funds appropriated under this Act may be used for chemical, biological or radiological experiments on non-consenting civilian populations.

EXTENSIONS OF REMARKS

THE NEED FOR AN OIL-SPILL SUPERFUND—PART II

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 1979

• Mr. MURPHY of New York. Mr. Speaker, the urgency of problems associated with oil pollution has been underscored in recent weeks by several casualties.

On June 30, the container ship *Sea Speed Arabia* ran aground off Staten Island, resulting in the discharge of 100,000 gallons of diesel oil that virtually surrounded Staten Island and polluted the waters of upper and lower New York Bay. Beaches and parks were closed and marine life was damaged many miles from the origin of the spill.

On July 19, the supertankers *Aegean Captain* and *Atlantic Empress* collided off the coasts of the island nation, Trini-

dad and Tobago. Both ships were holed, creating a gigantic oil spill that only chance took out to sea instead of onto the resort beaches so vital to the economy of the islands. The *Atlantic Empress* sank several days after the collision, taking with her to the bottom the oil trapped in intact cargo tanks. She was the largest ship in history to sink.

Most recently, in the first week of August, oil from the Mexican oil well IXTOC I, which suffered a blowout on June 3, reached the waters and beaches of South Texas. The well has been discharging oil at a rate of 10,000 to 30,000 barrels a day into the Gulf of Campeche. No end is in sight. By the time the well is capped and the oil disperses, the pollution may well affect the waters and beaches of all the States on the Gulf of Mexico, as well as the rich fishing grounds offshore. This situation was described in more detail in my remarks appearing in the CONGRESSIONAL RECORD of September 19, 1979, at page 25440.

These recent disasters emphasize the

need for prompt action on H.R. 85, a bill to provide a comprehensive system of liability and compensation for oil-spill damage and removal costs. Had H.R. 6803, the predecessor of H.R. 85, been enacted into law last October, U.S. citizens suffering damage from the Staten Island spill and the IXTOC I incident would now have quick and effective means to obtain compensation.

H.R. 85 represents the distillation of several years of deliberations on this matter by the Congress and by the administration of three Presidents. The subject of an oil pollution superfund, in all its ramifications, has been thoroughly studied, analyzed, and debated. The need for such a compensation system is abundantly clear. The time has now arrived—indeed is overdue—for final legislative decisions on an oilspill superfund, decisions that should be made as rapidly as procedures of the Congress and the press of other business will allow.

This clear course of action should not be allowed to become impeded by hurried

by substituting the monetary base (currency plus deposits at Federal Reserve banks) for the Federal funds rate as the primary instrument for controlling monetary growth.

Has the Fed finally gotten that message? The Fed's release sounds like it: "This action involves placing greater emphasis in day-to-day operations on the supply of bank reserves and less emphasis on confining short-term fluctuations in the Federal funds rate." However, those of us who have long favored such a change have repeatedly licked our wounds when we mistakenly interpreted earlier Fed statements as portending a change in operating procedures. I hope that this time will be different—but remain skeptical until performance matches pronouncements.

What difference does it make? Consider simply the past several years. The Fed has consistently talked about the need for a steady policy of monetary restraint. Yet from October 1976 to October 1978, the quantity of money (as measured by M_2 , currency plus all deposits at commercial banks other than large CD's) increased at close to 10 per cent per year; from October 1978 to March 1979, at less than 3 per cent; from March 1979 to September 1979, at close to 12 per cent. The rapid monetary growth prior to October 1978 spurred inflation; the subsequent slowdown in monetary growth produced the onset of recession after the usual lag of about six months; the monetary explosion that began in March 1979 aborted the recession after a shorter than usual lag of only about three months. As a result, the third and fourth quarters of 1979 are likely to display renewed inflationary expansion. If the Fed does change its procedures and does slow monetary growth, the recession will be resumed—or a new recession will get under way—in the first or second quarter of 1980. The bright side of that coin is that steady and gradual reduction in monetary growth would end inflation and lay the groundwork for healthy, noninflationary economic growth.

However, there are two slips between the lip and the cup. First, so far this is all promise, not performance. Second, improved operating procedures can be used to inflate as well as to restrain inflation. Will the Fed's excellent anti-inflation sentiments survive climbing unemployment in Election Year 1980?

On October 18, 1979, Federal Reserve Chairman Paul Volcker wrote to me that he is sympathetic with my views on the subject of lagged reserve accounting, and that "the Board has preferred to maintain lagged reserve accounting at least for the immediate future in the hope the membership problem can soon be resolved." This gives the Congress another reason for speedy passage of the Monetary Control Act of 1979, H.R. 7, which eliminates the problems caused by banks' leaving the Federal Reserve System.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. CHENEY (at the request of Mr. MICHEL), for today, on account of official business.

Mr. COTTER (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. NELSON (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. RAILSBACK (at the request of Mr. MICHEL), for today, on account of official business.

Mr. RODINO (at the request of Mr.

WRIGHT), for today, on account of illness in the family.

Mr. WILLIAMS of Ohio (at the request of Mr. MICHEL), for today, on account of official business.

Mr. YOUNG of Alaska (at the request of Mr. MICHEL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SENSENBRENNER) to revise and extend their remarks and include extraneous matter:)

Mr. FRENZEL, for 20 minutes, today.

Mr. SCHULZE, for 5 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. JOHNSON of California, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. WEAVER, for 10 minutes, today.

Mr. CAVANAUGH, for 5 minutes, today.

Mr. FLORIO, for 5 minutes, today.

Mr. MITCHELL of Maryland, for 5 minutes, today.

Mr. ALEXANDER, for 15 minutes, today.

Mr. PREYER, for 5 minutes, today.

Mr. BRADEMAs, for 5 minutes, today.

Mr. BARNES, for 5 minutes, today.

Mr. REUSS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. FOUNTAIN, to revise and extend immediately following adoption of committee amendments.

Mr. FOUNTAIN, to revise and extend, during general debate on H.R. 5192.

(The following Members (at the request of Mr. SENSENBRENNER), and to include extraneous matter:)

Mr. YOUNG of Florida in five instances.

Mr. BOB WILSON.

Mr. KEMP.

Mr. PAUL in two instances.

Mr. ERLBORN.

Mr. ASHBROOK in two instances.

Mr. COUGHLIN.

Mr. DANIEL B. CRANE.

Mr. THOMAS.

Mr. OTTINGER.

Mr. LEE.

Mrs. HOLT.

Mr. GILMAN.

Mr. BEREUTER.

Mr. HILLIS.

Mr. MCCLORY.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. GUDGER.

Mr. WALGREN.

Mr. SKELTON.

Mr. GEPHARDT.

Mr. STARK in two instances.

Mr. BAILEY.

Mr. MATTOX.

Mr. EDGAR.

Mr. MOAKLEY in two instances.

Mr. BLANCHARD.

Mr. McDONALD.

Mr. DRINAN.

Mr. SEIBERLING in 10 instances.

Mr. GAYDOS.

Mr. WEISS.

Mr. WAXMAN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1477. An act to provide for improvements in the structure and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, November 5, 1979, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2755. A letter from the Executive Secretary to the Department of Health, Education, and Welfare transmitting proposed interim final regulations for Part 185 of the Emergency School Aid Act, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

2756. A letter from the Chairman, Board of Trustees, Harry S. Truman Scholarship Foundation transmitting the Foundation's 1978-79 annual report, pursuant to section 13(b) of Public Law 93-642; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ULLMAN: Committee on Ways and Means. H.R. 2759. A bill to promote the orderly development of hard mineral resources in the deep seabed, pending adoption of an international regime relating thereto; with an amendment (Rept. No. 96-411, pt. III). Ordered to be printed.

Mr. GIAMMO: Committee of conference. Conference report on Senate Concurrent Resolution 36 (Rept. No. 96-582). Ordered to be printed.

Mr. STAGGERS: Committee of conference. Conference report on S. 1905 (Rept. No. 96-583). Ordered to be printed.

Mr. DELLUMS: Committee of conference. Conference report on S. 1037 (Rept. No. 96-584). Ordered to be printed.

Mr. BROOKS: Committee on Government Operations. Report on energy conservation within the Federal Government: the Department of Energy's record (Rept. No. 96-586). Referred to the Committee of the Whole House on the State of the Union.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. BROOKS: Committee on Government

Operations. House Resolution 428. Resolution to disapprove Reorganization Plan No. 3 transmitted by the President on September 25, 1979 (Rept. No. 96-585). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 5789. A bill to amend title 28 of the United States Code to establish two divisions for the central judicial district of California; to the Committee on the Judiciary.

By Mr. FLORIO (for himself and Mr. LaFALCE):

H.R. 5790. A bill to amend the Solid Waste Disposal Act to provide authority to respond to releases of hazardous waste which is presently unregulated at the Federal level and which endanger public health and the environment, to establish a hazardous waste response fund to be funded by a system of fees, to establish prohibitions and requirements concerning certain unregulated releases of hazardous waste, and to provide for liability of persons responsible for releases of hazardous waste, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. AKAKA (for himself, Mr. HEFTTEL, and Mr. PHILLIP BURTON):

H.R. 5791. A bill to establish the Native Hawaiians Study Commission and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. AUCOIN:

H.R. 5792. A bill to authorize the Secretary of the Interior to provide for the protection, use, and enjoyment of the esthetic and recreational values inherent in the Federal lands and water at Henry Hagg Lake, Tualatin Project, Oreg.; to the Committee on Interior and Insular Affairs.

By Mr. BEARD of Rhode Island:

H.R. 5793. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on deposits in certain savings institutions; to the Committee on Ways and Means.

By Mr. BRADEMAM (for himself, Mr. HAMILTON, Mr. SHARP, Mr. FITHIAN, Mr. BENJAMIN, Mr. JACOBS, Mr. MYERS of Indiana, Mr. DECKARD, Mr. HILLIS, Mr. EVANS of Indiana, and Mr. QUAYLE):

H.R. 5794. A bill to designate the building known as the Federal Building in Evansville, Indiana, as the "Winfield K. Denton Building"; to the Committee on Public Works and Transportation.

By Mr. COELHO (for himself, Mr. MOORHEAD of California, Mr. CHARLES H. WILSON of California, Mr. LAGOMARSINO, Mr. JOHNSON of California, Mr. PASHAYAN, Mr. FAZIO, Mr. SHUMWAY, Mr. BROWN of California, Mr. BOB WILSON, Mr. LLOYD, Mr. BURGNER, Mr. MATSUI, Mr. GOLDWATER, Mr. PANETTA, Mr. THOMAS, Mr. ROUSSELOT, Mr. MINETA, and Mr. LEWIS):

H.R. 5795. A bill to amend the Agricultural Adjustment Act to allow the crediting of certain obligations of handlers who engage in the marketing of grapefruit, lemons, or oranges subject to marketing orders if such fruits are grown in the State of Arizona or the State of California; to the Committee on Agriculture.

By Mr. FUQUA (for himself, Mr. ROE, Mr. FISH, Mr. DORNAN, Mr. LLOYD, Mr. BLANCHARD, Mr. FLIPPO, Mr. GLICKMAN, Mr. WATKINS, Mr. NELSON, Mr. ERTTEL, Mr. PEPPER, Mr. MINETA, Mr. STUDDS, Mr. MOORHEAD of Pennsylvania, Mr. CORRADA,

Mr. MURPHY of Pennsylvania, Mr. LEHMAN, Mr. SIMON, Mr. AKAKA, Mr. HEFTTEL, Mr. WHITEHURST, Mr. GIBBONS, Mr. CARTER, Mrs. BYRON, Mr. LAGOMARSINO, Mr. BEILSONSON, and Mr. EMERY):

H.R. 5796. A bill to provide for an accelerated research and development program to achieve early applications of ocean thermal energy conversion systems and for other purposes; to the Committee on Science and Technology.

By Mr. GEPHARDT:

H.R. 5797. A bill to amend the Congressional Budget Act of 1974 to assure that the congressional budget process reflects a responsible approach to national fiscal and monetary policy, and realistically takes into account the state of the economy, by establishing a new procedure under which the Congress will separately decide upon the size of the Federal surplus or deficit for any fiscal year before it considers or decides upon the specific budget outlays to be authorized in the concurrent resolution on the budget for that year; jointly, to the Committees on Rules, Banking, Finance and Urban Affairs, and Government Operations.

By Mr. GUDGER:

H.R. 5798. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for qualified forestry expenditures that improve the productivity of privately-owned lands, and for other purposes; to the Committee on Ways and Means.

By Mr. LEACH of Iowa (for himself and Mr. COLEMAN):

H.R. 5799. A bill to amend title 5, United States Code, to provide for Federal personnel ceilings (including ceilings on contracts involving personal services), to establish an award for Federal employees for responsiveness to public needs, to provide that performance in administering personnel and contract ceilings are taken into account in evaluating the performance of Federal executives and managers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PASHAYAN (for himself, Mr. ABDNOR, Mr. ANNUNZIO, Mr. BADHAM, Mr. BEARD of Tennessee, Mr. BEILSONSON, Mr. BENJAMIN, Mr. BEREUTER, Mr. BETHUNE, Mr. BURGNER, Mr. JOHN L. BURTON, Mr. CAMPBELL, Mr. CARTER, Mr. CHENEY, Mr. CLAUSEN, Mr. CLINGER, Mr. COELHO, Mr. COUGHLIN, Mr. COURTER, Mr. DANIEL B. CRANE, Mr. PHILIP M. CRANE, Mr. DANNEMEYER, Mr. DASCHLE, Mr. DELUMS, Mr. DORNAN, Mr. DOUGHERTY, Mr. ECKHARDT, Mr. ERDAHL, Mr. EVANS of the Virgin Islands, Mr. FAZIO, Mr. FERRARO, Mr. FUQUA, Mr. GINGRICH, Mr. GOODLING, Mr. GORE, Mr. GRASSLEY, Mr. GRISHAM, Mr. GUYER, Mr. HALL of Texas, Mr. HINSON, Mr. HUCKABY, Mr. HYDE, Mr. JEFFRIES, Mr. JOHNSON of California, Mr. JOHNSON of Colorado, Mr. JONES of Tennessee, Mr. KEMP, Mr. KOGOVSEK, Mr. KRAMER, Mr. LAGOMARSINO, Mr. LATTI, Mr. LEE, Mr. LELAND, Mr. LEWIS, Mr. LLOYD, Mr. LOTT, Mr. LUJAN, Mr. MARRIOTT, Mr. MATSUI, Mr. MCCLODY, Mr. MCCLOSKEY, Mr. MCKAY, Mr. MILLER of California, Mr. MINETA, Mr. MOORHEAD of California, Mr. MOTT, Mr. MURPHY of Pennsylvania, Mr. MYERS of Indiana, Mr. NATCHER, Mr. PANETTA, Mr. PATTEN, Mr. PATTERSON, Mr. PEPPER, Mr. PETRI, Mr. PEYSER, Mr. QUILLLEN, Mr. RITTER, Mr. ROBINSON, Mr. ROUSSELOT, Mr. ROYBAL, Mr. ROYER, Mr. RUDD, Mr. SAWYER, Mrs. SCHROEDER, Mr. SHUMWAY, Mrs. SMITH of Nebraska, Mrs. SNOWE, Mr. SOLARZ, Mr. SOLOMON, Mrs. SPELLMAN, Mr. STACK, Mr. STANGELAND, Mr. STENHOLM, Mr.

STOCKMAN, Mr. SYMMS, Mr. TAUKE, Mr. THOMAS, Mr. TRIBLE, Mr. VANDER JAGT, Mr. WALKER, Mr. WAMPLER, Mr. WAXMAN, Mr. WEAVER, Mr. WHITEHURST, Mr. WHITTAKER, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. CHARLES H. WILSON of California, Mr. WOLPE, Mr. YOUNG of Florida, and Mr. YOUNG of Alaska):

H.R. 5800. A bill to authorize the President of the United States to present on behalf of the Congress a specially struck gold medal to Bryan Lewis Allen; to the Committee on Banking, Finance and Urban Affairs.

By Mr. TRAXLER (for himself and Mr. BONIOR of Michigan):

H.R. 5801. A bill to authorize the Secretary of the Army, acting through the Chief of Engineers, to undertake erosion control measures at Lexington Harbor, Mich.; to the Committee on Public Works and Transportation.

By Mr. WYDLER:

H.R. 5802. A bill relating to purchases and sales of gold by the United States; to the Committee on Banking, Finance and Urban Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H.R. 5803. A bill for the relief of Yang Mi Hoffer; to the Committee on the Judiciary.

By Ms. OAKAR:

H.R. 5804. A bill for the relief of Sietman M. Alameh; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXIII, sponsors were added to public bills and resolutions as follows:

H.R. 1411: Mr. HUBBARD.

H.R. 1516: Mr. WEISS, Mr. FISH, and Mr. LAGOMARSINO.

H.R. 2291: Mr. ALBOSTA, Mr. BETHUNE, Mr. EDWARDS of Oklahoma, Mr. GINGRICH, Mr. HAMMERSCHMIDT, Mr. HILLIS, Mr. HYDE, Mr. MARKEY, Mr. RAILSBACK, and Mr. YOUNG of Missouri.

H.R. 3401: Mr. RICHMOND, Mr. HUGHES, and Mr. BONIOR of Michigan.

H.R. 3532: Mr. CHARLES H. WILSON of California, Mr. HUGHES, and Mr. BONIOR of Michigan.

H.R. 3558: Mr. LUKE.

H.R. 4646: Mr. ANNUNZIO, Mr. BOB WILSON of California, Mr. HALL of Ohio, Mr. FOUNTAIN, and Mr. SWIFT.

H.R. 4659: Mr. CAMPBELL, Mr. SWIFT, Mr. KINDNESS, Mr. OBERSTAR, Mr. SYMMS, Mr. AMBRO, Mr. CHARLES WILSON of Texas, Mr. CARTER, Mr. WHITEHURST, Mr. BURGNER, Mr. AKAKA, Mr. MATHIS, Mr. ZEFERETTI, Mr. SANTINI, and Mr. GINGRICH.

H.R. 4786: Mr. COLLINS of Texas, Mr. EDWARDS of Oklahoma, and Mr. GINGRICH.

H.R. 4878: Mr. DOWNEY, Mr. WIRTH, Mr. LEE, Mr. DANNEMEYER, Mr. TAUKE, Mr. CAVANAUGH, Mr. PASHAYAN, Mr. BEDELL, Mrs. SPELLMAN, Mr. OBERSTAR, Mr. LUNDINE, and Mr. FITHIAN.

H.R. 5243: Mr. WHITEHURST.

H.R. 5348: Mr. FOLEY.

H.R. 5561: Mr. COLLINS of Texas, Mr. PHILIP M. CRANE, Mr. GRASSLEY, and Mr. EDGAR.

H.R. 5571: Mr. NOWAK.

H.R. 5586: Mr. THOMAS.

H.R. 5591: Mr. LEVITAS and Mr. MOAKLEY.

H.R. 5610: Mr. BROYHILL, Mr. McDONALD, Mr. SHARP, and Mr. YATRON.

H.R. 5671: Mr. RAHALL, Mr. STANGELAND, Mr. MURPHY of Pennsylvania, Mr. ROE, Mr. TAUKE, Mr. MURPHY of Illinois, Mr. ADDABBO, Mr. FROST, Mr. HYDE, and Mr. BEVILL.

EC-2444. A communication from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report concerning surplus real property disposed of to public health and educational institutions; to the Committee on Governmental Affairs.

EC-2445. A communication from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the report on Health Professions Financial Distress Grant Program; to the Committee on Labor and Human Resources.

EC-2446. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on four new deferrals of budget authority and a revision to one previously transmitted increasing the amount deferred; to the Committee on Appropriations, the Committee on the Budget, the Committee on Agriculture, Nutrition, and Forestry, the Committee on Commerce, Science, and Transportation, and the Committee on Labor and Human Resources, jointly, pursuant to the order of January 30, 1975.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RIBICOFF, from the Committee on Governmental Affairs, without amendment, unfavorably:

S. Res. 245. Resolution disapproving reorganization plan numbered 3, 1979 (Rept. No. 96-402).

By Mr. PELL, from the Committee on Rules and Administration, without amendment:

S. Res. 89. Resolution authorizing the designation of Room S-120 in the United States Capitol as the "Hugh Scott Room".

S. Res. 274. A resolution to revise and modernize the Standing Rules of the Senate without substantive change in Senate procedure and to incorporate therein certain other rules of the Senate (Rept. No. 96-403).

S. Res. 256. Resolution authorizing reimbursement of the contingent fund of the Senate for legal expenses incurred by Senator Thurmond in defending a civil action brought against him (Rept. No. 96-404).

S. Res. 275. An original resolution authorizing the designation of Room S-114 in the United States Capitol as the "Harry Flood Byrd, Sr., Room".

S. Res. 276. An original resolution to pay a gratuity to Gertrude G. Dissmore and Chester H. Dissmore.

S. Con. Res. 45. Concurrent resolution authorizing the printing of a revised edition of the "Handbook for Small Business" as a Senate document (Rept. No. 96-405).

By Mr. MUSKIE, from the Committee on the Budget, without amendment:

S. Res. 265. Resolution waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1724 (Rept. No. 96-406).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DeCONCINI:

S. 1985. A bill to authorize the Secretary of Agriculture to convey certain lands in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INOUE:

S. 1986. A bill to amend the Immigration

and Nationality Act to permit mentally retarded adults to become United States citizens; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 1987. A bill for the relief of Maria Elba Leora Hernandez; to the Committee on the Judiciary.

By Mr. PRYOR (for himself and Mr. BUMPERS):

S. 1988. A bill to equalize competition between State and national banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DeCONCINI:

S. 1985. A bill to authorize the Secretary of Agriculture to convey certain lands in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

FLAGSTAFF LAND EXCHANGE

Mr. DeCONCINI. Mr. President, I am pleased to introduce today legislation which is essential to the future health care demands of the residents of the growing community of Flagstaff, Ariz.

The purpose of this legislation is twofold: It will afford the Flagstaff Medical Regional Center the opportunity to acquire 18.5 acres of national forest land for expansion of its existing health care facility and will give the city of Flagstaff the right to acquire fee title to 132.5 acres of land known as Thorpe Park.

The Flagstaff Medical Regional Center is the largest hospital facility in the northern region of Arizona and not only serves the health care needs of the city, but the entire northern area of the State as well. The hospital has long expressed a desire to obtain suitable land for the expansion of the facility to accommodate future health care needs. The land to be acquired for this purpose is adjacent to the present quarters of the Coconino National Forest administrative offices, known as Knob Hill. However, a location for the Forest Service offices, which would be compatible to the surrounding environment and consistent with the diversity of land management activities is preferable and long overdue. This legislation will enable the Forest Service to seek larger, improved quarters to accommodate its increased activities on the Coconino National Forest.

The city of Flagstaff has, for over 50 years, utilized 132.5 acres of national forest land for one of the largest park facilities in the city, Thorpe Park. The city is currently operating the park under a special-use permit from the Forest Service and this land exchange legislation would allow the city to acquire title to the land over a 10-year period.

The degree of mutual respect and cooperation that has existed between the city of Flagstaff and the administrators of the Coconino National Forest has been outstanding. This legislation will provide benefits to both, and I believe, will contribute to the continued harmony between the city and the Federal agency for years to come.

I urge early consideration of this bill by the Energy and Natural Resources

Committee and its speedy enactment by the Senate.

I ask unanimous consent that the text of the bill be printed in the RECORD at this time.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture (hereafter in this Act referred to as the "Secretary") is authorized to convey by quitclaim deed, subject to the provisions of subsections (b) and (c) of this Act, all right, title, and interest of the United States in and to the following described tract of lands and improvements thereon:

*Gila and Salt River Meridian
(Coconino County, Arizona)*

T. 21 N., R. 7 E.,

Sec. 15. N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 16. S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 256.25 acres more or less.

(b) (1) Any conveyances pursuant to subsection (a) of this Act shall be conditioned upon the Secretary entering into agreements or land exchanges, sufficient to assure the Secretary that any party with whom such agreements or land exchanges are to be made will construct on a site to be determined by the Secretary, administrative improvements equal in value to the lands and improvements authorized to be conveyed by subsection (a). The lands and improvements may be conveyed by a series of transactions or land exchanges.

(2) Each party to whom conveyances are to be made may, in the discretion of the Secretary, deposit cash in an amount not less than the fair market value, to be determined at the time of conveyance, of the lands and improvements conveyed. The cash so deposited is authorized to remain available until expended by the Secretary for the purposes of constructing administrative improvements as described in this Act. If the value of any land and improvements thereon authorized to be conveyed by subsection (a) exceeds the value of administrative improvements determined to be necessary by the Secretary to be constructed with respect to such land under this Act, the party to whom such conveyance is to be made shall make a cash payment to the United States in an amount equal to such difference in value, and such amount is authorized to remain available to the Secretary until expended for the purposes of acquiring other lands needed for National Forest purposes in the Coconino National Forest in Arizona.

(c) (1) Of the tract of land described in subsection (a), the Secretary shall offer to sell at the fair market value, as determined on the date of enactment of this Act, to the Flagstaff Medical Regional Center, Flagstaff, Arizona, not to exceed 18.25 acres immediately adjacent to said Flagstaff Medical Regional Center and to the City of Flagstaff, Arizona, not to exceed 132.5 acres, under special use permit in effect on the date of enactment of this Act to the City of Flagstaff. Such offers to sell to the Flagstaff Medical Regional Center and to the City of Flagstaff shall remain in effect for periods of not to exceed 3 years and 10 years, respectively. Subject to the limitations contained in this paragraph, the City of Flagstaff and the Flagstaff Medical

Mr. DINGELL. I thank the gentleman. Mr. Speaker, I assume the gentleman and the conferees expect we will follow the ancient rule of legislative construction and that is, where the language is clear that extraneous matters will not be injected into the deliberations of the courts for purposes of determining what the intent of the Congress might be?

Mr. DUNCAN of Oregon. Mr. Speaker, if the gentleman will yield, I am committed to working out some language in the committee report and I have been trying to confer as closely as possible with the gentleman as the prime sponsor of the amendment in question, in order to arrive at satisfactory language in the committee report.

Mr. DINGELL. I thank the gentleman for that.

I have a concern that over the past few years the Department of Transportation has been suppressing information, concealing its investigations, denying Congress access to its books, records, papers and memorabilia relating to the air-bag testing in which it has been engaged.

Am I correct that it is the intention of the committee that the Congress will have full access to all books, records, papers, memorabilia, films, computer readouts, et cetera, relative to the testing?

Mr. DUNCAN of Oregon. The gentleman has made his statement. I have no basis to either incur in or disapprove of what the gentleman says. I personally have had no difficulty in obtaining information that I directly requested from any agency of this Government and I would be terribly distressed if that were to have occurred.

Mr. DINGELL. Then I understand the gentleman is saying that the books, records, papers, memorabilia, films, documents, computer printouts and so forth relative to testing will be available to the Congress, to individual Members of Congress on demand? Am I correct on that?

□ 1510

Mr. DUNCAN of Oregon. Mr. Speaker, if the gentleman will yield further, I have no more control over the administrative branch of this Government than does the gentleman from Michigan. I see no reason why the reports of the testing ought not to be made available fully to all members of the committee.

Mr. DINGELL. Mr. Speaker, I really appreciate that and I assume that the testing will be done to get a truthful answer as to what constitutes the real information as regards the best points and liabilities of the air-bag restraint and different forms of passive restraint. Now I yield to my good friend, the gentleman from Oregon.

Mr. DUNCAN of Oregon. If the gentleman would yield, I would assume that to be the intention of the administrative branch of the Government and certainly any funds that we put in in order to test, we expect the testing to be fair and accurate within human capabilities.

Mr. DINGELL. Leading toward an honest evaluation of a different system.

Mr. DUNCAN of Oregon. I see no reason to have the test unless you are going to have an honest evaluation.

Mr. DINGELL. Well, I want to express my high regard to the gentleman. I want

the gentleman to understand that my questions are not critical of the gentleman. They are, as the gentleman well knows, highly critical of the irresponsible behavior of the Department of Transportation on the passive restraint matter, which reflects no credit on it. It is an attempt to see to it that the testing is openly done and to see that the information is available to the Congress and to see that the tests are directed at getting the facts and the information. I am sure the gentleman concurs with me in that.

Mr. DUNCAN of Oregon. I have no disagreement with that statement.

Mr. DINGELL. I thank the gentleman.

Mr. DUNCAN of Oregon. Mr. Speaker, if the gentleman will yield further, I would like to also suggest that no language in the committee report as far as I am concerned or as far as any court is concerned can change the express language of the statute.

Mr. DINGELL. I do thank the gentleman. I have the highest regard for the gentleman. I am satisfied the gentleman is doing his best to represent the House.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon (Mr. DUNCAN)?

There was no objection.

TO DISAPPROVE REORGANIZATION PLAN NO. 3 OF 1979

Mr. BROOKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 428 to disapprove Reorganization Plan No. 3 transmitted by the President on September 25, 1979; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the resolution may continue not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from New York (Mr. HORTON) and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. Brooks).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 428, with Mr. CHARLES WILSON of Texas in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Pursuant to section 912, Public Law 95-17, and under the unanimous-consent request, the gentleman from Texas (Mr. Brooks) will be recognized for 30 minutes, and the gentleman from New York (Mr. HORTON) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. Brooks).

Mr. BROOKS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, House Resolution 428 provides for the disapproval of the President's Reorganization Plan No. 3 of 1979. The resolution was introduced by me to allow the Members of this body to have a vote on this plan which comes to us under the reorganization authority granted the President by the Congress under Public Law 95-17.

By recommending that this resolution be disagreed to, the Committee on Government Operations is supporting the reorganization plan as submitted by the President.

Reorganization Plan No. 3 of 1979 restructures the international trade functions of the executive branch with the general goal of improving the capacity of our Government to increase the exports of U.S. products and services and to develop a framework within which fair international trade practices will be maintained.

At present, our international trade performance leaves much to be desired. All of us are aware of our continuing and increasing negative trade balances—our growing dependence upon foreign oil—and international pressures on the dollar. These conditions underscore the importance of restructuring the Government's trade machinery.

During the course of 4 days of hearings, we actively sought the views of all interested parties concerned with the problem of consolidating the trade functions of the U.S. Government. We heard from administration spokesmen, as well as Members of the House and Senate who had previously introduced trade reorganization legislation. At a full committee meeting on October 30, this plan was supported by a vote 30 to 1, a quorum being present.

The plan changes the name of the Office of the Special Representative for Trade Negotiations to the Office of the U.S. Trade Representative and the U.S. Trade Representative is given primary authority, with the advice of an inter-agency Trade Policy Committee, for developing and coordinating the implementation of U.S. international trade policy. As the principal adviser to the President on international trade, the Trade Representative is given "lead" responsibility on all matters of trade policy. Moreover, the Trade Representative has lead responsibility for conducting international trade negotiations and has the authority to issue "policy guidance" to all departments and agencies which will provide the policy framework within which all trade functions are exercised.

Reorganization Plan No. 3 gives the Department of Commerce general operational responsibility for major nonagricultural trade functions. It transfers from the Department of the Treasury all monitoring and enforcement authorities related to our antidumping and countervailing duty laws. In addition, the Department of Commerce will be responsible for export development and commercial representation abroad. To accomplish this, Reorganization Plan No. 3 transfers all full-time commercial posts abroad from the Department of State to the Department of Commerce. This will

immediately involve the transfer of 162 foreign service positions and 499 local national employees to a newly organized career Foreign Commercial Service within the Department of Commerce. American businessmen generally feel this move will insure that their interests in developing new markets for American goods and services will be well represented abroad.

Reorganization Plan No. 3 also places the Trade Representative and the Secretary of Commerce on the Board of Directors of the Export-Import Bank as nonvoting ex officio members. In addition, the plan makes the Trade Representative vice chairman and voting member of the Board of Directors of the Overseas Private Investment Corporation. Together, these decisions are aimed at achieving greater coordination between the development and implementation of trade policy and the financing of American exports.

If approved here today and by the Senate, Reorganization Plan No. 3 will be swiftly implemented by both the Office of the U.S. Trade Representative and the Department of Commerce in order that our Nation may take advantage of the new trade opportunities opened up by the new MTN codes.

While the plan does not go as far as some Members would prefer—for example, it clearly does not create a separate Department of Trade—it nevertheless creates an organization which should strengthen our Nation's ability to compete in international commerce.

For this reason, I urge Members to support this plan and to vote no to the resolution of disapproval under consideration.

Mr. HORTON. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in support of Reorganization Plan No. 3 of 1979 regarding Trade Reorganization for several reasons. First, there is no question in my mind that the trade functions of our Government must be reorganized into a more rational structure. Approximately one dozen departments and agencies in the Federal Government are currently responsible for some aspect of the formation and implementation of U.S. Foreign Trade Policy. As a consequence, no one is really in charge of trade matters. With this proposal, there is little doubt that the Special Trade Representative will be in charge of trade policy, coordination, and negotiations. And, there is little doubt that the Department of Commerce will be in charge of implementation and given new responsibilities for trade export promotion which leads into the second reason I support this proposal.

Foreign trade is vitally important to this country, but unfortunately, it is shrinking. Let me cite just a few statistics:

In 1968, the United States had a trade surplus of \$1 billion. In 1978, the United States had a trade deficit of approximately \$28.5 billion.

In 1960, the United States had a 20-percent share of the world export market. In 1978, that U.S. share had shrunk to just 14 percent.

In 1968 the value of U.S. exports was twice that of Japan's and slightly

greater than West Germany's. In 1978, Japan's exports exceeded U.S. exports and German exports were almost 25 percent greater than those of the United States.

In 1978, U.S. imports of oil alone totaled \$54 billion. By 1990, experts estimate that, in current dollars, the U.S. oil bill will reach \$175 billion, meaning our trade balance will worsen unless something is done.

In the manufacturing goods area, the United States dropped from a \$20 billion surplus in 1975 to a deficit of almost \$6 billion last year.

Finally, let me cite two statistics that show even more that our economy needs trade. These are:

The Congressional Budget Office has estimated that for every billion dollars worth of exports, 40,000 to 50,000 additional American jobs are created, and

The United States has approximately 250,000 manufacturing firms, but only 25,000 are exporters. It has been estimated that this figure could double if they tried, or were encouraged.

Mr. Chairman, the plan before us is not a panacea, and no one, not even the administration claims that it is. However, when you look at the present organization, and the increasing problems in the trade area, I think you have to conclude that something should be done and that this is a good, positive, first step.

Therefore, I urge my colleagues to support this proposal by voting against the resolution of disapproval.

Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, the proposal before us is an extension of the MFN conforming legislation which this House and the other body passed this summer. At that time the committees who are most responsible for trade policy were greatly concerned by the fact that responsibility for the creation and the conduct of trade policy was split through many agencies of our executive department.

So when we were hearing the MFN implementation bill, we called in our friends and colleagues, the experts from the Committee on Government Operations, the distinguished gentleman from Texas and the distinguished gentleman from New York, and asked for their help in trying to move a reorganization plan forward. Their cooperation has been splendid and I must compliment them, and their entire committee, for doing a first-rate job of helping to create this reorganization, and for moving it forward.

The reorganization consolidates most of the trade operating functions in the Department of Commerce and most of the policy functions in the STR. It does not give us a single responsibility, but it gives us a much greater consolidation of responsibility.

I believe it will be a great step forward. Maybe sometime in the future we will want a single department, but first we will have a chance to see if this new, more concentrated reorganization will work.

One of the key elements here is that we take the commercial counselors out

of the control of the State Department and put them under the control of Commerce. We are hopeful that putting trade-oriented personnel into our embassies will not only signal our increased interest in trade but will also render real assistance to American exporters.

A second important part of this reorganization is that we take the anti-dumping and countervailing duty enforcement out of the Treasury Department and put it in the Commerce Department. U.S. industry and labor had been very critical of Treasury's administration of these laws. Consensus testimony favored transfer to Commerce for more prompt, and more even-handed, administration.

□ 1520

Mr. Chairman, I think altogether the House can be proud of this reorganization plan and proud of the work of the committee that produced it.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the distinguished chairman of the Subcommittee on Trade.

Mr. VANIK. Mr. Chairman, I want to thank my distinguished colleague for yielding. I concur in the remarks the gentleman has made. I think this bill is a step in the right direction.

I want to thank the chairman of the Government Operations Committee the gentleman from Texas (Mr. Brooks), and the Committee on Government Operations for so promptly and so effectively dealing with this issue. It is very, very important that we put into operation a meaningful system of managing trade, especially because of the multilateral agreement which will be in full operation next year.

Mr. Chairman, I want to express my support for the legislation and my gratitude to the committee for working it out. I certainly think the case the gentleman has made in support of the legislation is a good one. There is no partisan difference involved in this matter at all.

Mr. FRENZEL. Mr. Chairman, I thank the distinguished gentleman from Ohio (Mr. VANIK) for his contribution.

I would only say further that when we were engaged in working out the MTN bill, Representatives of the other body were very nervous about our ability to move this plan through the House. The distinguished chairman of the Committee on Government Operations told them, and us, that he would do his part. Not only has he done what he said he would do, but he has done it before the other body, which had the greatest enthusiasm for this change, acted.

Mr. Chairman, I am very proud of the committee's activities.

Mr. BROOKS. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. LEVITAS).

Mr. LEVITAS. Mr. Chairman, I rise in support of the position taken by the distinguished chairman of the Committee on Government Operations and the ranking minority member of the committee, and I would like to associate myself with their remarks.

I think it is very important to have this reorganization because it does give

more emphasis to the U.S. Trade Policy which is so important in providing jobs at home and rectifying the unfavorable balance of trade that we now experience.

I have, however, one or two reservations about this reorganization plan, and I would like to make note of them now so that as we reevaluate this program in the next few years, we can ascertain whether some of these concerns are in fact legitimate concerns.

The first is that there is no single agency or department which will have responsibility for trade matters. Although we are upgrading the role of the Department of Commerce, we are still separating its trade role from that of the U.S. Trade Representative.

I would much rather have seen this important function put together in one place because I am quite concerned that when we separate policy from implementation, we create a situation in which the policymakers will blame the implementers for poor policies and the implementers will blame the policymakers for lack of adequate response to the programs which are developed.

Consequently, I think we need to be looking down the road to bringing these functions together in a single agency or department.

The second concern I have relates to the Trade Policy Committee which is established under this plan. It is an inter-agency committee consisting of the major Secretaries and heads of government departments affected by trade policies. My concerns are twofold.

The first concern is that with all these important officials as part of this committee, the committee will in fact rarely meet and its functions will be turned over to staff. I hope that will not be the case. I would certainly hope that we would be sensitive to this possibility, and that the trade policy committee will function as a committee with the highest policy makers involved.

Also I noted that the Department of Transportation is not included on the Policy Committee. I am informed by Director McIntyre of OMB that the Trade Representative will be meeting with Mr. Goldschmidt, the Secretary of Transportation, to ascertain whether that Department should also be included in the Trade Committee. I trust they will conclude that our domestic and international transportation policies have a major impact on trade and that the Secretary of Transportation should be on the Policy Committee.

Finally, I should like to make note of the fact that the Committee on Government Operations has for several years held oversight hearings on these trade programs. Many of the recommendations made by the Committee on Government Operations have been incorporated in this plan, upgrading the commercial counsellors and placing them under the jurisdiction of the Department of Commerce, making certain the regional outreach projects are included to assure that the small- and medium-sized business can take advantage of foreign trade opportunities, and making sure the plan will be implemented.

Mr. Chairman, I think if we do this, we will have accomplished a great deal and

the U.S. Trade Policy in this plan will have served its purposes.

Mr. HORTON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. SCHULZE).

Mr. SCHULZE. Mr. Chairman, the House is now considering reorganization plan No. 3, transmitted to Congress by the president on September 25, 1979. Let me begin with a little history.

After 5 years, the Tokyo round of multilateral trade negotiations concluded on April 12, 1979, in Geneva, Switzerland. It contained for the first time international agreements, or codes of conduct, emphasizing non-tariff barriers to trade. Included were rules on Government subsidization, dumping, Government procurement, procedures, product standards, and licensing procedures which in the past have impeded fair international trade.

The Congress, working with the administration, deliberated for months developing the legislation to implement this important trade pact. The legislation addresses some of the deficiencies in our current dumping and countervailing duty laws. Procedures have been improved, time schedules for action have been tightened, and the rules and standards have been clarified. I believe it is a step in the right direction and I have supported it.

But enactment of the trade agreements act was only a first step. Perhaps the most serious problem over the years in efforts to use this country's unfair trade laws has been their administration—the will on the part of our Government to enforce the laws. In this respect, I was heartened to read in the Wall Street Journal on November 5, 1979, an article which indicates that our new Trade Representative Mr. Askew favors vigorous enforcement of our domestic trade laws. Mr. Chairman, I would like to have that article included in the Record following my statement.

The President has submitted to this body his Reorganization Plan No. 3, for restructuring the international trade functions of the executive branch by expanding trade responsibilities of the Department of Commerce and strengthening the trade policy role of the Office of the Special Trade Representative.

The reorganization plan, although not ideal, deserves our support. On balance it should substantially enhance the importance of international trade. It attempts to stress development of long-term United States trade strategies and policies.

After 5 years of negotiations, and the many months of deliberations over implementing legislation and reorganization plans, you would think we were all finished. But a number of questions and issues still will need to be answered. Will the new time constraints prove to be realistic? Will the appeal procedure work as Congress intended it to work? Will there be too great a burden on Commerce staff, petitioners and importing interests with regard to the handling of antidumping and countervailing duty cases? Will the international dispute settlement mechanisms prove to be as effective as they were originally contemplated?

There are some of the questions on the MTN and its accompanying implement-

ing legislation to be addressed in the future.

Turning to the trade reorganization plan before us, was the judgment of the administration correct in transferring the antidumping and countervailing duty enforcement responsibilities from Treasury to Commerce? Or should the responsibilities be transferred to an independent agency as was suggested by several members? Was it wise to have a reorganization proposal which separates the policy function in STR from the enforcement responsibility in Commerce? Or should we have embraced the proposed Department of International Trade which would put all executive branch trade functions into one cabinet-level department? How will the STR interpret its policy oversight responsibilities with regard to the enforcement of unfair trade statutes? Will STR's interpretation of that responsibility conflict with congressional intent? Finally, will the enlarged sectoral analysis capabilities proposed by the President in his reorganization plan be increased satisfactorily?

The complexity of the new trading rules, and the potential unknown involving the administration of the new statutes almost mandates some type of oversight by the Congress. I would like to request from the gentleman from Ohio (Mr. VANIK), chairman of the House Ways and Means Subcommittee on Trade, and the gentleman from Texas (Mr. BROOKS), chairman of the House Government Operations Committee, that regular oversight hearings be held in the committees you chair. There must be some type of follow-up to all the efforts of this body on the MTN and its implementing legislation and the trade reorganization now before us to insure that the expectations of Congress as well as the responsibilities of the administration are met.

[From the Wall Street Journal, Nov. 5, 1979]
MULTILATERAL TRADE ACCORD TO TAKE EFFECT
BY JANUARY 1, U.S. ENVOY ASKEW IS
CONVINCED

(By Richard J. Levine)

WASHINGTON.—Reuben Askew, the U.S. trade representative, is convinced that the multilateral trade agreement concluded earlier this year will go into effect by Jan. 1.

Despite some recent delays, he said: "I don't sense in any way a lack of will or commitment of our major trading partners" to approve the agreement. "Too much effort has been put into this" to contemplate failure at this point, he added.

Mr. Askew's comments came in an interview a month after he was sworn in as the U.S. special trade representative, succeeding Robert Strauss. Mr. Askew's optimism about the timetable for the massive trade agreement which aims at reducing both tariff and nontariff barriers to trade, contrasts with views expressed last week by Anthony Solomon, Under Secretary of Treasury for monetary affairs.

PLANS NOVEMBER SIGNING

Mr. Solomon noted that the U.S. is the only major trading nation that has "completed the necessary procedures to bring its legislation into accord" with the trade agreement. The U.S. plans to sign the agreement in late November and put it into effect by Jan. 1, he said, adding: "This timetable could be jeopardized, however, if other trading nations fail to sign the agreement during this period."

It is Mr. Askew's expectation that they

won't. His office, he said, is keeping in close contact with the European Common Market, Japan and Canada. He added, "I think the European community will work out its internal differences."

Mr. Askew, who served eight years as governor of Florida, said his "immediate goal" is to oversee the start-up of the agreement and the reorganization of the U.S. government's trade bureaucracy, a reorganization that will give Mr. Askew's office as well as the Commerce Department increased power and responsibility.

One of his aims, he said, is to ensure that a "good representative sample" of developing nations sign the multinational trade agreements. Most developing nations have been unenthusiastic about the agreement, contending that it was designed by and for the major industrial countries.

CONTACTING MAJOR ACTORS

While the job of putting the trade agreement into effect lacks the "drama" of the negotiations of recent years, Mr. Askew said it could prove even more difficult. "You've got to get down to interpreting the are's and the aren'ts" of complex rules, he explained.

In his early days in Washington, Mr. Askew has been busy reaching out to major actors on the U.S. trade scene such as the steel industry, the textile industry and the AFL-CIO. He recently wrote AFL-CIO President George Meany that "those who produce goods and those who work in related services mustn't be disadvantaged" by the new trade accord.

Mr. Askew, who is learning the technical complexities of the trade field, emphasized that he favors vigorous enforcement of U.S. laws and rights in the trade field to protect the interests of American manufacturers and workers. "The strict enforcement of the (trade) codes shouldn't be considered protectionist," he declared.

TAKES TOUGH STANCE

Mr. Askew took a tough stance on the issue of Chinese textile imports into the U.S. In the absence of a bilateral agreement limiting these imports, he said, the U.S. will maintain "unilateral" restraints. "They have the ability to swamp us" with textile goods, he said.

A self-described "trade advocate" at the highest levels of government, Mr. Askew made it clear during the interview that he favors "more aggressive" export promotion and deeper "market penetration" in order to improve the U.S. "competitive position" in the world. We must make sure that "we pursue our rights," he said.

"If you don't do that," he continued, "you don't retain the (political) base" for trade-liberalization moves.

The former Florida governor, who President Carter had asked to join his original cabinet, agreed that the sluggish world economic outlook could generate new protectionist pressures in the months ahead. These pressures will "make our job a little more difficult," Mr. Askew said, though "I feel reassured by the commitment of Congress" to the new trade agreement.

Mr. Askew said it's too early to start talking about the next round of multilateral trade talks. "As a practical matter we have to make work what we've already done," he said.

Mr. HORTON. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. CONABLE).

Mr. CONABLE. Mr. Chairman, I appreciate the work that the Committee on Government Operations has done on this reorganization plan, and I intend to support the plan. It is a good measure as far as it goes, but the proof of the pudding is in the eating.

Unless this signals a new interest in or new support for export policy and a

new policy on the part of our Government in the promotion of exports and in the facilitating of export trade in world markets, then I am afraid that all the work done in the multilateral trade negotiation, with the removal of obstacles that that effort implied, is going to come to nothing.

Our own Government has given a major harassment to the export trade. We in this body have contributed to that by passing a large number of legislative enactments, to some degree tying the President's hands. Whether it is with respect to the extraterritorial applications of the Antitrust Act, the Corrupt Practices Act, the Anti-Arab Boycott Act, the Export Administration Act, or the steps implementing the human rights policies of the American Government, whether it is section 911 of the tax code or whatever, we have thrown all kinds of obstacles in the way of our companies doing business overseas.

We must find some way of reviewing these legislative enactments and seeing if there is not some way that they can be molded together into a more rational export policy. We must also develop, on the part of the administration and the Government itself, ways of facilitating rather than obstructing the export trade.

This reorganization is a step in the right direction, and I support it, but we must find a new dedication to trade outreach following the passage of MTN or we are going to continue to have an imbalance of trade that will be quite damaging as we continue to increase our purchases of energy from abroad.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I want to thank the gentleman from New York (Mr. CONABLE) for his very fine contribution to the debate on this bill.

I am concerned personally about the USTR and the small staff which is going to be provided. It will not exceed 116. We have felt in the subcommittee that it should be in the neighborhood of 135 to 150. I hope, that the USTR will draw on the expertise and the talents of other Government agencies to carry out these functions.

Mr. CONABLE. Mr. Chairman, I thank the gentleman from Ohio (Mr. VANIK) for the point he has made. That is perhaps illustrative of the point I was making also.

We must have a new dedication to trade outreach. It has to be expressed in a number of ways. There is no panacea. Structural change of this sort is important, but, as I say, the proof of the pudding is in the eating.

Mr. Chairman, I think we must have legislative oversight to see that we are taking the steps necessary in fact to extend our export trade.

Mr. VANIK. Mr. Chairman, I thank the gentleman from New York (Mr. HORTON).

□ 1530

Mr. BROOKS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oklahoma (Mr. JONES).

Mr. JONES of Oklahoma. Mr. Chairman, I want to add my congratulations to the Committee on Government Operations and to the Carter administration for a truly bipartisan effort in taking this very important second step to make some rational sense out of America's trade policy. Others have tried to bring together a coherent trade policy and they have failed. I think it is a tribute to this Congress and to this administration that we have made this step. I hope that we will continue, as the gentleman from New York said, to try to erase as many other impediments and barriers to trade so that we can go on with an aggressive export policy that will carry our economic growth into the next generation.

Mr. HORTON. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, as I was saluting the Committee on Government Operations, I should also have made the same comment just made by the distinguished gentleman from Oklahoma.

The Carter administration gets precious little praise from this side of the aisle, but it deserves copious praise for its work in trade. I think its fine work on the MTN negotiations, and the successful conclusion of those negotiations, has been largely overlooked both by the press and by the public. It did splendid work on MTN, and it also did a splendid job on this bill.

At the request of our subcommittee the administration was asked to bring in a plan. Working with the Committee on Government Operations it produced this fine bill. For its prompt effective work the administration should be saluted as well.

● Mr. LONG of Louisiana. Mr. Chairman, I want to join a number of my colleagues in support of Reorganization Plan 3. Mr. Brooks and the Committee on Government Operations deserve our special thanks for handling the reorganization of our trade functions in an expeditious and thoughtful manner.

The plan itself takes a number of steps in the right direction. The renamed U.S. Trade Representative is made the principal spokesman on trade matters and charged with the formulation of U.S. trade policy. Full responsibility for trade negotiations in all international forums will now be centralized in the USTR.

Under the trade reorganization plan, responsibility for the operational side for export of promotion and a wide variety of other trade matters has been placed in the Commerce Department. I am particularly pleased that the Commerce Department has coupled its added trade responsibilities with the creation of a new Bureau of Industrial Analysis.

Over the past two decades, Congress has become increasingly concerned about America's ability to maintain a strong position in international trade. In the recent efforts at trade reorganization, it was Congress that first sensed the need for a more efficient trade bureaucracy. Effective reorganization, like effective

implementation of the new multilateral trade agreements, will require skillful administration and constant congressional scrutiny. I want to add my voice to those of my colleagues who have called for the Congress to exercise its oversight responsibilities in the trade area.

Once again, I want to thank Chairman Brooks and his committee for moving so quickly on such a delicate matter after having already undertaken a heavy reorganization burden in this Congress. ●

Mr. BROOKS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. If there are no further requests for time, the Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 428

Resolved, That the House of Representatives does not favor the Reorganization Plan Numbered 3 transmitted to the Congress by the President on September 25, 1979.

Mr. BROOKS. Mr. Chairman, I move that the Committee do now rise and report the resolution back to the House with the recommendation that the resolution be not agreed to.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore (Mr. MINETA) having assumed the chair, Mr. CHARLES WILSON of Texas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. Res. 428) to disapprove Reorganization Plan No. 3 transmitted by the President on September 25, 1979, had directed him to report the resolution back to the House with the recommendation that the resolution be not agreed to.

The Clerk reported the resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was rejected.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on the resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PRIVILEGES OF THE HOUSE—ALLEGED CONSTITUTIONAL VIOLATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO S. 1871

Mr. VANIK. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 478) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Senate amendment to the House amendment to the text of the bill

(S. 1871), an act to extend the existing antitrust exemption for oil companies that participate in the agreement on an international energy program, in the opinion of this House contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House, and that said bill, with the amendments, be respectfully returned to the Senate with a message communicating this resolution.

POINT OF ORDER

Mr. BAUMAN. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BAUMAN. Mr. Speaker, has the Chair ruled on whether this is a matter of privileges of the House?

The SPEAKER pro tempore. The Chair is about to do that at this time.

The Chair has examined the resolution submitted by the gentleman from Ohio (Mr. VANIK) and finds that it presents a question of the privileges of the House pursuant to rule IX of the Rules of the House of Representatives.

The gentleman from Ohio (Mr. VANIK) is recognized for 1 hour.

PARLIAMENTARY INQUIRY

Mr. BAUMAN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BAUMAN. Mr. Speaker, on what basis does the action of the other body contravene rule IX? It seems to me that this is a matter ordinarily handled through other rules of the House dealing with disagreements of the two bodies on legislation.

The SPEAKER pro tempore. The Chair will advise the gentleman from Maryland that what has been raised is a question of the constitutional prerogatives of the House, and that is to be decided by the House by a vote on this resolution. The Chair has only ruled that the resolution raises a question of privilege of the House, not that the Senate has infringed the House's prerogatives.

Mr. BAUMAN. Dealing with the House's right to originate appropriation bills?

The SPEAKER pro tempore. A revenue matter, yes.

Mr. BAUMAN. Revenue matters.

I thank the Chair.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. VANIK) is recognized for 1 hour.

Mr. VANIK. Mr. Speaker, the problem has occurred with a Senate amendment to Senate bill 1871. Without going into the merits of the language of that amendment, the problem is that the Senate has added an amendment directly dealing with the power over importation involving matters which traditionally have been considered to be within the revenue powers of the House. It added these to the Senate bill and sent the amendment to this body in that posture.

Mr. Speaker, the action infringes upon the constitutional authority of this House to originate this kind of legislation.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. VANIK. Mr. Speaker, for purposes of debate only, I yield such time as he may require to the gentleman from New York (Mr. CONABLE).

Mr. CONABLE. I thank the gentleman for yielding.

Mr. Speaker, it is my impression that we do not wish to discuss the substance of this matter.

Mr. VANIK. That is correct.

Mr. CONABLE. I quite agree that as a nongermane amendment it involves origination by the Senate of legislation that is within the province of this body.

Mr. VANIK. That is correct.

Mr. CONABLE. And as such it should be returned to the Senate.

Mr. VANIK. It infringes on the constitutional rights of this body.

Mr. CONABLE. I agree with the conclusion the gentleman has arrived at. Without discussing the substance of the measure, I urge the House to follow his lead on this matter.

Mr. FRENZEL. Mr. Speaker, will the gentleman yield?

Mr. VANIK. Mr. Speaker, for the purposes of debate only, I yield to my colleague, the gentleman from Minnesota.

Mr. FRENZEL. Mr. Speaker, I agree that if we put aside the substance of the Senate action, which I support, the point that the gentleman from Ohio is making is correct. It is a violation of lawful procedures, and the gentleman's motion should be adopted.

Mr. VANIK. Mr. Speaker, for the purposes of debate only, I yield such time as he may consume to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I rise in support of the resolution. The Senate has placed in S. 1871 a provision relating to import quotas and fees on legislation relating to antitrust immunities for activities under the international energy program.

The Senate amendment would subject to a congressional veto process any Presidential decision to impose quotas or fees on imported crude oil and petroleum products. I take no position on the merits of the provision at this time. However, I do find that the provision is an infringement of the privileges of the House. The provision contravenes article I, section 7, of the Constitution, which requires that "all bills for raising revenue shall originate in the House of Representatives."

In amending this legislation to include the matter of import fees, the Senate has contravened the Constitution. The House has the responsibility to protect its constitutional prerogatives. Therefore, it is necessary to send the bill, with its amendments back to the Senate.

Although the privileges of the House could also be protected by refusing to further consider this bill, such a course would be unwise. The provisions of existing law relating to the international energy program will expire at the end of this month if this legislation is not passed. Both Houses agree that the provisions should be extended. Therefore, this procedure will keep the legislation alive so that the provisions relating to the international energy program may be enacted.

The Subcommittee on Energy and Power is deeply interested in the Nation's oil import policy. Decisions relating to

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the bill passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR INDEFINITE POSTPONEMENT OF SENATE RESOLUTION 245

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that Calendar Order No. 429, Senate Resolution 245, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination of David K. Winder, of Utah, to be U.S. district judge, and that the Senate proceed, notwithstanding the 1-day rule, to the immediate consideration of the nomination.

Mr. STEVENS. Reserving the right to object, I will not object, I am grateful to the majority leader for doing this at the request of the Senator from Utah (Mr. HATCH) who is present and has requested this action.

There being no objection, the Senate proceeded to the consideration of the nomination.

The PRESIDING OFFICER. The nomination will be stated.

THE JUDICIARY

The assistant legislative clerk read the nomination of David K. Winder, of Utah, to be U.S. district judge for the district of Utah.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. HATCH. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

KENNETH B. KEATING BUILDING

Mr. ROBERT C. BYRD. Mr. President, on behalf of my distinguished senior colleague (Mr. RANDOLPH), I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1535.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1535) entitled "An Act to name a certain Federal building in Rochester, New York, the Kenneth B. Keating Building", do pass with the following amendments:

Strike out all after the enacting clause, and insert: That the Federal Building at 100 State Street, Rochester, New York, shall hereafter be known and designated as the "Kenneth B. Keating Federal Building". Any reference in any law, map, regulation, document, record, or other paper of the United States to such building shall be deemed to be a reference to the "Kenneth B. Keating Federal Building".

Amend the title so as to read: "An Act to designate the Federal Building in Rochester, New York, the 'Kenneth B. Keating Federal Building'".

Mr. ROBERT C. BYRD. Mr. President, on behalf of Mr. RANDOLPH, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote on the action that has been taken.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER TO HOLD BILL AT THE DESK

Mr. ROBERT C. BYRD. Mr. President, on behalf of Senator RANDOLPH, I ask unanimous consent that at such time as a message from the House on H.R. 5794 is received at the desk, it be held there until further disposition.

Mr. STEVENS. There is no objection. The PRESIDING OFFICER. Without objection, it is so ordered.

SCOUTING RECOGNITION WEEK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 448.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (H.J. Res. 448) proclaiming the week of December 3 through December 9, 1979, as "Scouting Recognition Week."

Without objection the Senate proceeded to consider the joint resolution.

The joint resolution was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER TO INDEFINITELY POSTPONE SENATE JOINT RESOLUTION 122

Mr. ROBERT C. BYRD. Mr. President, on behalf of the Senator from South Carolina (Mr. HOLLINGS) I ask unanimous consent that a companion measure, Senate Joint Resolution 122, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO VITIATE STANDING ORDERS FOR RECOGNITION OF TWO LEADERS FOR TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the standing orders for the two leaders or their designees be vitiated for tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR JAVITS AND FOR CONSIDERATION OF H.R. 3236 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, immediately after the disposition of the approval of the Journal on tomorrow, Mr. JAVITS be recognized for not to exceed 15 minutes; after which, the Senate proceed to the consideration of Calendar Order No. 438, H.R. 3236, an act to amend title II of the Social Security Act to provide better work incentives and improved accountability in the disability insurance program and for other purposes, with the understanding that, no later than 11 a.m., the Senate will resume consideration of the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I anticipate that there may be some votes on amendments or motions in relation to H.R. 3236 tomorrow morning between the hour of 9 o'clock and the hour of 11 o'clock, but at the hour of 11 o'clock, no later than that hour, the Senate will resume consideration of the unfinished business. The bill, H.R. 3236, in that event, if it has not been disposed of, and, in all likelihood, it will not have been, would be set aside until a later date.

Mr. STEVENS. Reserving the right to object, it is my understanding that there is a possibility that there will be rollcall votes prior to the resumption of the tax bill on crude oil tomorrow.

Mr. ROBERT C. BYRD. Yes.

Mr. STEVENS. And those could take place between the hours of 8:45 and 11 o'clock.

Mr. ROBERT C. BYRD. Between the hours of 9 o'clock and 11 o'clock.

By Mr. HASKELL:

S. 1989. A bill to reform the tax laws of the United States; to the Committee on Finance.

By Mr. ROTH (for himself and Mr. RIBICOFF):

S. 1990. A bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment, and for other purposes; to the Committee on Governmental Affairs.

By Mr. METCALF (for himself, Mr. ABOWEZEK, Mr. MCGOVERN, and Mr. METZENBAUM):

S. 1991. A bill to conserve the Nation's energy resources; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mr. HART, and Mr. METZENBAUM):

S. 1992. A bill to establish reporting requirements and voluntary energy efficiency targets for industry, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRANSTON (for himself, Mr. PELL, and Mr. STONE):

S. 1993. A bill to amend title XVIII of the Social Security Act to enable certain individuals to enroll in the insurance program established by such title; to the Committee on Finance.

By Mr. CRANSTON:

S. 1994. A bill to amend title XVIII of the Social Security Act so as to permit payment under the Medicare program for certain hospital services provided in Veterans' Administration hospitals; to the Committee on Finance.

By Mr. ABOWEZEK:

S. 1995. A bill to grant admission to the United States to certain nationals of Chile and the spouses, children, and parents of such nationals, and for other purposes; to the Committee on the Judiciary.

By Mr. STAFFORD (for himself, Mr. LEAHY, Mr. FORD, Mr. MELCHER, and Mr. LAXALT):

S. 1996. A bill to amend section 1448 of title 10, United States Code, to provide survivor benefits in case of death of certain members or former members of the armed forces who die before becoming entitled to retired pay for non-Regular service, and for other purposes; to the Committee on Armed Services.

By Mr. INOUE:

S. 1997. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Finance.

By Mr. INOUE:

S. 1998. A bill for the relief of Ms. Marlene Sabina Lajola; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself and Mr. BELLMON):

S. 1999. A bill to amend section 447 of the Internal Revenue Code pertaining to accounting procedures for businesses operating nurseries; to the Committee on Finance.

S. 2000. A bill to provide for the use and distribution of funds appropriated in satisfaction of the judgment awarded to the Seminole Indians in Dockets 73 and 151 before the Indian Claims Commission, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. BENTSEN (for himself, Mr. GRAVEL, and Mr. TOWER):

S. 2001. A bill authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, water conservation, recreation, hydroelectric power and other purposes; considered and passed.

By Mr. PELL, from the Committee on Human Resources:

S. 2002. An original bill to authorize the Secretary of the Interior to transfer franchise

fees received from certain concession operations at Grand Canyon Unified School District, Arizona, and for other purposes. Placed on the Calendar.

By Mr. HELMS (for himself, Mr. PERCY, Mr. STEVENSON, and Mr. TOWER):

S. 2003. A bill to amend the Bretton Woods Agreements Act and the Gold Reserve Act, and for other purposes; to the Committee on Foreign Relations and the Committee on Banking, Housing and Urban Affairs, jointly, by unanimous consent.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HASKELL:

S. 1989. A bill to reform the tax laws of the United States; to the Committee on Finance.

Mr. HASKELL. Mr. President, today I introduce legislation which I believe comes to terms with one of the most important issues before this or any other Congress: the return of our Internal Revenue Code to the simple, fair and logical system it was intended to be.

The path away from that simple, fair system began about 20 years ago when the Federal Government found that the tax system was a handy tool which could be adapted to any social or economic need. Since then, the Congress has drafted thousands of special provisions to prod some social or economic activity by offering reduced taxes for those who pursue the activity. It is that use of the tax system which has made it what it is today—what President Carter quite rightly calls “a disgrace.” The tax system today is burdensome, unfair, and irrational. Few even claim to understand it and everyone resents it as a maze of special interest provisions.

In the years since the Congress began tampering with the tax code for purposes other than revenue raising, it has failed, repeatedly to do anything but make the situation worse. What it calls reform is usually a cosmetic surgery.

It has long been painfully evident that the tax system distorts the economy, rewards inefficiency, penalizes small businesses and those who work for wages. But the congressional response to this mess of its own making is best typified by a provision included in the grossly misnamed “Tax Reform Act of 1976.”

Faced once more with the knowledge that many huge incomes escape all taxes because of shelters and other special tax breaks, the Congress again imposed a minimum tax. The minimum tax seemed to me a confession of failure. It was a statement that, all the tax breaks notwithstanding, Congress really intended for everyone to pay a little something in taxes.

The few of us who urged an attack on the very tax loopholes which made such abuses possible were routinely and overwhelmingly outvoted.

I think the reason real tax reform has eluded us for years is simple: every special tax provision written into the code has a constituency which benefits from it.

The Congress cannot combat the regional and national tax loophole constituencies which it has created over the years and which now hold many mem-

bers hostage. That is a consequence the Congress probably never intended when it began excusing first one enterprise, then another, from its fair share of taxes. But it happened all the same. And now those beneficiaries of tax loopholes are strong, entrenched and effective, able in many districts and states to perpetuate their friends in office and punish their enemies.

That is where President Carter comes in—if he chooses. He can make tax reform a major issue. He is ideally situated to focus the attention of average taxpayers on reform. He can transform the vague resentment and mistrust most Americans feel into a force for reform. If the President offers strong leadership for reform, this could be the Congress in which the Tax Code is attacked with a meat ax instead of with a cosmetic scalpel.

I see some reasons to be hopeful that the administration will accept that role, as well as some signs that optimism ought to be no more than cautious.

Throughout his campaign, Jimmy Carter pledged tax reform would be a prime goal of his administration. Yet, the President's energy proposals indicate he is as willing as other Presidents and other Congresses to use the Tax Code as an all-purpose tool. I hope the President will realize it is such uses of the Tax Code which have made it a “disgrace” and that the first step toward its redemption is a rejection of most such uses—however tempting. There is a handful of important exceptions which I will mention later. It is unlikely the President will get his way on energy taxes. Still, it is disappointing that he is even trying.

On the positive side, some of the bits and pieces of the administration's tax reform package which are beginning to sift down are quite promising.

Though tax reform will be an awesome and complex task, there are a few simple principles which should guide it and express its goals. These are embodied in the bill I introduce today. I hope these principles are also the basis of President Carter's reform proposal which we expect to see this fall.

Reform should return us to a tax system which is simple, fair and progressive—that is people should be taxed according to their ability to pay. All three goals, I believe, will be furthered by the following steps:

Taxpayers should state their income for tax purposes just like they state it for their bankers. Income is income, regardless of source, and should be taxed at the appropriate rate. Taxpayers with similar incomes should pay similar taxes.

As a rule, only those tax preferences generally available to all taxpayers, regardless of income, should be retained. These include the deductions for home mortgage interest, medical expenses and charitable contributions. Most narrowly drawn provisions in the tax code should be repealed.

Small businesses deserve and need tax relief. Nearly all tax breaks over the years have worked to the benefit of the giant corporation. To help offset that, the corporate surtax exemption should be increased for small businesses.

The proposal embodied in this bill to protect the employment rights of Federal jurors varies only slightly in form and emphasis from the version adopted by the Senate in S. 539. This bill, which I am certain will have the support of both the Judicial Conference of the United States and the Department of Justice, would permit the application of a civil penalty up to \$10,000 against an employer found to be violating the statute by interfering with his employee's right under 28 U.S.C. 1861 to perform jury service. It would also give the district courts original jurisdiction, without regard to the amount in controversy, to require any private employer to comply with the provisions of section 1875 of this title, and to award damages for any loss of wages or other benefits suffered by reason of such employer's failure to comply.

In addition to the juror protection section, the bill provides needed increases in the attendance fee, subsistence allowance and travel allowance payable to Federal jurors. The bill I am introducing today increases the attendance fee for jurors in the U.S. district courts from \$20 to \$30, which is \$5 more than S. 539 provided. These increases are required in light of the inflationary spiral since the last amendment of section 1871 in 1968, particularly the escalating cost of energy.

The Judicial Conference has long urged the changes in juror compensation which would be made by this bill, having first recommended substantially similar legislation at its session of March 1974. The bill also reorganizes the present statute on jury fees, corrects several problems in the present payment structure, clarifies several ambiguous matters and remedies certain inequities resulting under the present system.

I hope to bring this legislation to the floor of the Senate in the near future.

By Mr. MATHIAS:

S.J. Res. 80. A joint resolution to authorize and request the President to issue a proclamation designating November 8, 1977, as "National Law Student Recognition Day"; to the Committee on the Judiciary.

Mr. MATHIAS. Mr. President, today I introduce a resolution that authorizes the President to designate November 8, 1977 as "National Law Student Recognition Day."

The United States of America is now entering its third century as a nation ruled by law. The future leaders of America, if the past is any guide, will include many members of the legal profession. They are now being trained in law schools throughout the country. The Nation should take note of the dedication and the hard work required in the study of the law, and give moral support to the students' efforts. Such a showing of support will help instill in them a strong sense of professional responsibility and ethics, and encourage them to attain a high level of expertise and to put it to use in community service.

I am convinced that law students

around the Nation deserve recognition both for their commitment to this honorable profession and in anticipation of their contributions toward a more perfect union. As representatives of the American public, we can show our appreciation to law students by supporting this resolution.

Mr. President, I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. Res. 80

Whereas the United States of America is entering its third century of existence as one Nation, supporting world peace through law, and committed to equal justice under law; and

Whereas we reaffirm the basic principles proclaimed in the Constitution of the United States, as amended, for the establishment of justice; for the protection of life, liberty and property under due process of law; and for the continued maintenance of equal protection of the laws; and

Whereas the future leaders of America, as in its illustrious past, will include many members of the legal profession at international, Federal, State and local levels; and

Whereas the training of these future leaders should not only be encouraged and enhanced in the law schools of the Nation, but should also be supported by the bench and bar so as to instill a strong sense of professional responsibility, high ethical standards, and a high level of qualification for private and public services; and

Whereas the law students of the Nation deserve recognition for their commitment to this honorable profession and its contributions toward a more perfect union and the pursuit of happiness: Now, therefore, be it

Resolved by the Senate and House of Representatives in the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating November 8, 1977 as "National Law Student Recognition Day" and calling upon the people of the United States and interested groups and organizations to observe that day with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS

S. 727

At the request of Mr. GRIFFIN, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 727, a bill to amend the Federal Meat Inspection Act.

S. 1245

At the request of Mr. GRIFFIN, the Senator from Montana (Mr. MELCHER) was added as a cosponsor of S. 1245, the Corrections Construction and Program Development Act of 1977.

S. 1587

At the request of Mr. STONE, the Senator from Minnesota (Mr. ANDERSON) and the Senator from Washington, (Mr. MAGNUSON) were added as cosponsors of S. 1587, a bill to amend the Internal Revenue Code of 1954 to exempt certain State and local government retirement systems from taxation, and for other purposes.

S. 1596

At the request of Mr. RANDOLPH, the Senator from New Mexico (Mr. DOME-

NICI) and the Senator from Ohio (Mr. METZENBAUM) were added as cosponsors of S. 1596, to establish a National Center for the Handicapped.

S. 1616

At the request of Mr. CLARK, the Senator from New Hampshire (Mr. MCINTYRE) was added as a cosponsor of S. 1616, the National Agricultural, Range, and Forest Land Policy Act.

S. 1644

At the request of Mr. PACKWOOD, the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 1644, to give tax equity to parents without partners.

S. 1784

At the request of Mr. WILLIAMS, the Senator from Connecticut (Mr. WEICKER) was added as a cosponsor of S. 1784, to amend the Age Discrimination in Employment Act.

S. 1899

At the request of Mr. JAVITS, the Senator from Ohio (Mr. METZENBAUM) was added as a cosponsor of S. 1899, the Veterans Tuition Equalizer bill.

S. 1981

At the request of Mr. DOLE, the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1981, to provide for automatic adjustment for deduction to individual retirement accounts.

S. 1990

At the request of Mr. ROTH, the Senator from Michigan (Mr. RIEGLE) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 1990, to establish a Department of International Trade and Investment.

S. 1996

At the request of Mr. STAFFORD, the Senator from Utah (Mr. GARN) and the Senator from Arizona (Mr. GOLDWATER) were added as cosponsors of S. 1996, to amend title 10 of the United States Code.

S. 2012

At the request of Mr. HASKELL, the Senator from Texas (Mr. BENTSEN), the Senator from Alaska (Mr. GRAVEL), the Senator from Wyoming (Mr. HANSEN), and the Senator from Maryland (Mr. MATHIAS) were added as cosponsors of S. 2012, to amend the Trade Expansion Act.

SENATE JOINT RESOLUTION 70

At the request of Mr. RANDOLPH, the Senator from Idaho (Mr. CHURCH) was added as a cosponsor of Senate Joint Resolution 70, National Architectural Barrier Awareness Week.

SENATE CONCURRENT RESOLUTION 37

At the request of Mr. BARTLETT, the Senator from Texas (Mr. TOWER), the Senator from Wyoming (Mr. HANSEN), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Concurrent Resolution 37, disapproving Federal motor vehicle safety standard transmitted to Congress on June 30, 1977.

AMENDMENT 579 TO S. 961

At the request of Mr. CRANSTON, the Senator from California (Mr. HAYAKA-

United States may be conducted only with the concurrence of the affected regional fisheries council.

SEC. 402. AUTHORIZATION FOR APPROPRIATIONS.

(a) **FOR ADMINISTRATION.**—There are authorized to be appropriated to the Secretary for each fiscal year beginning after September 30, 1977, such sums as may be necessary for the administration of this Act.

(b) **FOR COMPENSATION.**—To the extent that the moneys in the Deep Seabed Mining Fund established pursuant to section 203 are not sufficient to pay compensation awarded under section 202, there are authorized to be appropriated to such fund for any fiscal year beginning after September 30, 1977, such sums as may be necessary for such payments.

(c) **FOR ENVIRONMENTAL ASSESSMENT.**—There are authorized to be appropriated to the Secretary for each fiscal year beginning after September 30, 1977, such sums as may be necessary to carry out the responsibilities assigned to him in section 109.

SEC. 403. SEVERABILITY.

If any provision of this Act or any application thereof is held invalid, the validity of the remainder of the Act, or of any other applications, shall not be affected thereby.

ADDITIONAL COSPONSORS

S. 80

At the request of Mr. BURDICK, the Senator from Iowa (Mr. CLARK) was added as a cosponsor of S. 80, to restore to Federal civilian and Postal Service employees certain rights in political processes.

S. 247

At the request of Mr. GOLDWATER, the Senator from Tennessee (Mr. BAKER) was added as a cosponsor of S. 247, to provide recognition to the Women's Air Forces Service Pilots.

S. 1487

At the request of Mr. BELLMON, the Senator from Florida (Mr. CHILES) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 1487, to eliminate racketeering in the distribution of cigarettes.

S. 1587

At the request of Mr. STONE, the Senator from North Carolina (Mr. HELMS) and the Senator from Missouri (Mr. DANFORTH) were added as cosponsors of S. 1587, a bill to amend the Internal Revenue Code of 1954 to exempt certain state and local government retirement systems from taxation, and for other purposes.

S. 1812

At the request of Mr. NELSON, the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1812, the Reclamation Lands Family Farm Act.

S. 1990

At the request of Mr. ROTH, the Senator from Pennsylvania (Mr. HEINZ) was added as a cosponsor of S. 1990, a bill to establish as an executive department of the Government of the United States a Department of International Trade and Investment.

S. 2009

At the request of Mr. DOMENICI, the Senator from Colorado (Mr. HASKELL) was added as a cosponsor of S. 2009, the Home Care Services bill.

S. 2014

At the request of Mr. WILLIAMS, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of S. 2014, to protect consumer creditors in bankruptcy proceedings.

SENATE RESOLUTION 238

At the request of Mr. CHURCH, the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Resolution 238, calling for a World Assembly on Aging.

SENATE RESOLUTION 244

At the request of Mr. STEVENS, the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Resolution 244, calling for a study of the Federal retirement system.

SENATE RESOLUTION 264

At the request of Mr. BELLMON, the Senator from Minnesota (Mr. ANDERSON), the Senator from New Hampshire (Mr. DURKIN), the Senator from Pennsylvania (Mr. HEINZ), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of Senate Resolution 264, continuing expenditures for the Select Committee on Nutrition and Human Needs.

SENATE CONCURRENT RESOLUTION 26

At the request of Mr. CRANSTON, the Senator from New York (Mr. JAVITS), the Senator from Delaware (Mr. ROTH), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of Senate Concurrent Resolution 26, relating to amyotrophic lateral sclerosis.

AMENDMENT NO. 1019

At the request of Mr. TOWER, the Senator from Indiana (Mr. LUGAR) and the Senator from California (Mr. HAYAKAWA) were added as cosponsors of amendment No. 1019, to be proposed to S. 1871, a bill to amend the Fair Labor Standards Act.

AMENDMENT NO. 1020

At the request of Mr. TOWER, the Senator from New Mexico (Mr. SCHMITT) and the Senator from California (Mr. HAYAKAWA) were added as cosponsors of amendment No. 1020, to be proposed to S. 1871, supra.

AMENDMENT NO. 1025

At the request of Mr. PERCY, the Senator from Delaware (Mr. BIDEN), was added as cosponsor of amendment 1025 to S. 2114, the Public Utilities Policy Act of 1977.

AMENDMENT NO. 1398

At the request of Mr. ROTH, the Senator from Kentucky (Mr. FORD) and the Senator from Texas (Mr. TOWER) were added as cosponsors of amendment No. 1398 to S. 1585, a bill to amend title 18, United States Code, to make unlawful the use of minors engaged in sexually explicit conduct for the purpose of promoting any film, photograph, negative, slide, book, or magazine.

SENATE CONCURRENT RESOLUTION 47—ORIGINAL CONCURRENT RESOLUTION REPORTED RELATING TO LIMITATION OF STRATEGIC ARMAMENTS

(Placed on the Calendar.)

Mr. SPARKMAN, from the Commit-

tee on Foreign Relations, reported the following concurrent resolution:

S. CON. RES. 47

Whereas the Interim Agreement Between the United States of America and the Union of Soviet Socialist Republics on Certain Measures with Respect to the Limitation of Strategic Offensive Arms will expire on October 3, 1977;

Whereas a temporary further observance of the limitations of the Interim Agreement will provide time for further negotiation, consistent with Public Law 92-448, toward a treaty limiting strategic offensive arms;

Whereas the Congress desires that the United States negotiate a treaty supportive of United States national security without the burden and pressure of imminent deadlines;

Whereas the Arms Control and Disarmament Act contemplates close cooperation and consultation between the Executive and Legislative Branches on matters of important substance;

Whereas the interests of the United States are best served by a mutual recognition in a spirit of comity, by the Congress and the Executive, of the importance of close consultation, cooperation and adherence to the constitutional and statutory sharing of responsibility in the conduct of foreign affairs;

Whereas the Administration has stated its unilateral intent that, while the Strategic Arms Limitation negotiations are being completed, the United States intends not to take any action inconsistent with the Interim agreement, provided that the Soviet Union exercises similar restraint; and

Whereas the Administration has expressly represented to Congress that the aforesaid declaration of intent is non-binding and non-obligatory upon the United States, Now, therefore, be it

Resolved, that the President is authorized to proceed in accordance with the declaration of intent of the Secretary of State of September 23, 1977 and the Senate and the House of Representatives of the United States concur.

Mr. SPARKMAN. Mr. President, this concurrent resolution was approved by the Committee on Foreign Relations at a meeting this morning. It expresses the concurrence of the Senate and the House of Representatives with respect to Presidential action affecting the limitation of strategic armaments. The resolution expresses the support of the Senate and the House of Representatives for the administration's stated intention not to take any action inconsistent with the provisions of the interim agreement on certain measures with respect to the limitations of strategic offensive arms which expires October 3, 1977, and with the goals of these ongoing negotiations provided that the Soviet Union exercises similar restraint.

The Committee on Foreign Relations decided to approve this resolution upon careful deliberation, which was, of necessity, conducted over a period of several days. Having received word from the executive branch last week of its intention to maintain the status quo, the committee met on Monday afternoon with the Honorable Paul C. Warnke, Director of the Arms Control and Disarmament Agency to review the present state and prospects of the strategic arms limitation talks, and to explore the implications of the administration's stated intention.

I believe that the President has ample

costs of production have been incurred in more than one country.

(b) When requested by the Secretary under section 202, the Administrator shall, applying the methods prescribed under subsection (a), determine—

(1) the environmental cost of production for each phase of the processing of each article for which such request is made, with respect to each country in which such processing occurs, and

(2) the comparable environmental cost of production of such article in the United States for each such phase.

The foreign environmental cost of production shall be computed with respect to each such article for each combination of countries in which such article may be processed for importation into the United States.

SEC. 204. The President shall have no authority under any provision of law to reduce the duty which is imposed on articles of copper by section 101, except as provided in this title.

SEC. 205. For purposes of this title—

(1) Environmental cost of production.—The term "environmental cost of production" means the cost incurred in mining, milling, smelting, refining, or in any other phase of the processing of an article of copper which is subject to the duty imposed by section 101, or which would be subject to such duty if imported into the United States, which is attributable to compliance with a law or regulation of the country in which such process occurs which is for the purpose of protecting the environment.

(2) United States environmental cost of production.—The term "United States environmental cost of production" means the aggregate of the environmental costs of production of an article of copper which would be subject to the duty imposed by section 101 if it were imported into the United States, for which each phase of the processing occurs in the United States.

(3) Foreign environmental cost of production.—The term "foreign environmental cost of production" means the aggregate of the environmental costs of production of an article of copper subject to the duty imposed by section 101 which is imported into the United States.

TITLE III—AMENDMENT TO THE TRADE ACT OF 1974

SEC. 301. Subsection (c) (1) of section 503 of the Trade Act of 1974 is amended—

(1) in subparagraph (F), by striking out "and";

(2) in subparagraph (G), by striking out the period at the end thereof, and inserting in lieu thereof ", and"; and

(3) by adding at the end thereof the following new subparagraph:

"(H) copper articles which are subject to the duty imposed by section 101 of the Copper Environmental Equalization Act of 1977."

TITLE IV—EFFECTIVE DATE

SEC. 401. The provisions of this Act shall be effective with respect to articles subject to the duty imposed by section 101 which are imported into the United States after the date of the enactment of this Act.

By Mr. HELMS:

S.J. Res. 94. A joint resolution ordering the President of the United States, the Secretary of Agriculture, and other officials to develop and implement a comprehensive program for foreign sales of American agricultural commodities, in order to protect the welfare of American farmers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HELMS. Mr. President, I am in-

roducing a joint resolution today that would require the President to formulate and implement a plan to expand American agricultural exports and report the plan formulated and implemented to the Congress by April 30, 1978. Congressman ROBERT E. BAUMAN is introducing a similar joint resolution in the House of Representatives.

Since 1972 farmers have become increasingly dependent upon export markets. Last year we exported 45 percent of our soybeans, 27 percent of our tobacco, 27 percent of our corn, as well as a high percentage of many of our other commodities.

In 1973 the Congress adopted a farm program which moved away from high Government price supports to a program where the farmers were dependent upon the marketplace for their income. Under the new program farm income reached record levels, principally due to increased agricultural commodity exports. Not only did farm income increase to all time highs in 1973, 1974, 1975, and 1976, but the cost of the farm programs to the taxpayers averaged less than \$700 million in 1974, 1975, and 1976 compared to an average of over \$3 billion for the 3 years preceding 1974.

Unfortunately, agricultural exports are declining. Commodity surpluses are beginning to build again as they did in the 1960's. Consequently, farmers' income is declining and the cost of the farm programs has been projected to run as high as \$7 billion next year. If exports do not increase, farmers will once again be dependent upon Government subsidies for their income and not the marketplace.

It is essential that the administration maximize the use of its resources to develop a plan to promote the sale of agricultural commodities to our foreign customers. As I have pointed out, an aggressive export policy is necessary to maintain farm income and minimize farm program cost, but agriculture exports are also an important component in our balance of trade.

I urge the Senate to take prompt action on this resolution to require the President to formulate and implement a program to increase agricultural exports.

I ask unanimous consent that the Senate joint resolution be printed in the RECORD at the conclusion of my remarks.

There being no objection, joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES 94

Whereas American agriculture and the production of food and fiber, worth \$82,000,000,000 last year, constitute the most basic and indispensable industry in the economy of the United States, without which the Nation's domestic and international position would be seriously jeopardized; and

Whereas historically the economic distress of American agriculture has preceded and deepened national and international economic dislocations and depressions; and

Whereas the net income after cost of production for American farmers in 1977 is projected by the United States Department of Agriculture to be less, when adjusted for inflation, than farmers received in 1936, the lowest net income in forty-one years, with two million seven hundred and fifty thou-

sand American farmers sharing a net income of only \$10,700,000,000, or an average net income worth \$5,721 for each farmer in 1976 dollars; and

Whereas the total debt owed by American farmers has increased from \$81,800,000,000 in 1974 to an estimated \$102,100,000,000 currently, causing many thousands of farmers to sell fixed assets, borrow heavily against the future income, and many to face bankruptcy; and

Whereas the deficit in the United States balance of international payments is expected to be nearly \$25,000,000,000 in 1977 and American agricultural exports are the major export commodity of the Nation; and

Whereas the majority of American farmers traditionally prefer a free market approach to farming and the economy; and

Whereas there exists abroad numerous opportunities for sales of American agricultural commodities which if pursued and properly developed could result in a reduction of existing surpluses of wheat, corn, rice, cotton, tobacco, peanuts, beef, pork, poultry and other commodities, thus producing a rise in agricultural commodity prices which have plunged below actual costs of production: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States hereby directs the President of the United States, the Secretary of Agriculture, and all appropriate officials of the United States Department of Agriculture, the Foreign Agricultural Service, and the Department of State to formulate and implement a plan for the expansion of sales of American agricultural commodities abroad, including increased Public Law 480 sales as well as private international transfers of food; and be it further

Resolved, That the Congress hereby directs agricultural attachés and officials at United States embassies to seek out and report to the Secretary of Agriculture all possible opportunities for agricultural commodity sales in the nations in which they are located; and be it further

Resolved, That the President of the United States shall transmit to the Congress a report of the plan formulated and implemented under the authority of this resolution no later than April 30, 1978.

ADDITIONAL COSPONSORS

S. 201

At the request of Mr. BURDICK, the Senator from Oregon (Mr. HATFIELD) was added as a cosponsor of S. 201, a bill to amend title 39 of the United States Code to establish an Arbitration Board to settle disputes between certain organizations and the U.S. Postal Service.

S. 1990

At his own request, the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1990, to establish a Department of International Trade and Development.

S. 2128

At the request of Mr. INOUE, the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2128, to amend the Internal Revenue Code.

SENATE CONCURRENT RESOLUTION 41

At the request of Mr. HELMS, the Senator from California (Mr. HAYAKAWA) was added as a cosponsor of Senate Concurrent Resolution 41, to promote effective treatment of epilepsy.